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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
CENTRAL VALLEY AUDITORIUM
SACRAMENTO, CALIFORNIA

TUESDAY, SEPTEMBER 20, 2005

9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Ms. Rosario Marin, Chair

Ms. Rosalie Mul

Ms. Cheryl Peace

Mr. Carl Washington

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Ms. Jeannine Bakulich, Executive Assistant

Ms. Angela Basquez, Staff

Mr. Fernando Berton, Supervisor, Organics Materials
Management

Ms. Theresa Bober, Staff

Mr. Bob Conheim, Staff Counsel

Mr. Jon Cupps, San Luis Obispo Integrated Waste Management
Authority

Mr. Tom Estes, Deputy Director, Administration & Finance
Division

Ms. Judy Friedman, Branch Manager, Organics & Resource
Efficiency

Mr. Glenn Gallagher, Staff

Mike Leacon, Supervisor of the Plastics Recycling
Technology Section

Mr. Jim Lee, Deputy Director, Special Waste Division

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APPEARANCES CONTINUED

Mr. Howard Levenson, Deputy Director, Permitting and Enforcement Division

Mr. Ronald Lew, Staff

Ms. Corky Mau, Supervisor, Recycling Business Development

Ms. Carroll Mortensen, Assistant Director, Legislative and External Affairs Office

Mr. Jon Myers, Assistant Director, Public Affairs Office

Mr. Pat Schiavo, Deputy Director, Diversion, Planning, and Local Assistance

Mr. John Smith, Branch Manager, Recycling Business Assistance

Mr. Scott Walker, Branch Manager, Remediation, Closure, & Technical Services Branch

Ms. Patty Wohl, Deputy Director, Waste Prevention and Market Development Division

ALSO PRESENT

Ms. Cynthia Barnard, Marin County LEA

Ms. Claudine Bell, Service Learning and Grants Coordinator, Burbank Unified School District

Mr. Mike Bradley, Board of Directors, Cal Expo

Mr. Peter Cantle, Santa Barbara County Air Pollution Control District

Mr. Jay Chen, Senior Manager, AQMD

Mr. Ed Graves, Director of Economic Development, County of Placer

APPEARANCES CONTINUED

ALSO PRESENT

Mr. Mohsen Nazemi, Assistant Deputy Executive Officer,
AQMD

Ms. Bobbi Park, Zone Administrator, Recycling Market
Development Zone, Placer County

Mr. David Pickett, IES

Ms. Valerie Moreno

Mr. William A. Welch, U.C. Riverside

Mr. Cameron Wright, West Coast Rubber Recycling

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1 PROCEEDINGS

2 CHAIRPERSON MARIN: Good morning. We're going to
3 start. Mr. Carl Washington is arriving momentarily. But
4 we have a tradition of starting our Board on time, so
5 we're going to go ahead and do that.

6 Welcome, everybody, to the California Integrated
7 Waste Management Board's September meeting here in
8 Sacramento. And we have a full agenda, but a quick
9 agenda. We work with Committees, and our Committees do
10 most of the leg work. And so most of the work has already
11 been decided during our Committees. So if you have not
12 been with us for a long time, then you realize that we
13 move the agenda rather quickly, because most of the items
14 have already been fully discussed at the Committee
15 meetings.

16 Well, with that, why don't you take the roll,
17 Ms. Jeannine Bakulich.

18 EXECUTIVE ASSISTANT BAKULICH: Mulé?

19 BOARD MEMBER MULÉ: Here.

20 EXECUTIVE ASSISTANT BAKULICH: Peace?

21 BOARD MEMBER PEACE: Here.

22 EXECUTIVE ASSISTANT BAKULICH: Washington?

23 Marin?

24 CHAIRPERSON MARIN: Here.

25 Ms. Peace, would you lead us in the Pledge of

1 Allegiance, please.

2 (Thereupon the Pledge of Allegiance was
3 recited in unison.)

4 CHAIRPERSON MARIN: Thank you.

5 I'd like to remind everybody for those of you
6 that have never attended our Board, there are speaker
7 slips in the back of the room. If you would like to
8 address the Board, give the speaker slips to Jeannine, and
9 she will give them to me at the appropriate time. If you
10 have cell phones, we ask you that you please silence them.
11 And I think that's about it.

12 There's a closed session for the Board. We're
13 going to try to get all of the Board items done before we
14 go to closed session. We're hoping. She's hoping. She
15 wants to eat. We're hoping to do that with enough time.
16 If we need to, then we will have lunch afterwards --
17 actually, before that. Okay. Let's see.

18 Ex partes, Ms. Peace?

19 BOARD MEMBER PEACE: I'm up to date.

20 CHAIRPERSON MARIN: Ms. Mulé?

21 BOARD MEMBER MULÉ: Up to date.

22 CHAIRPERSON MARIN: And myself, I'm up to date.

23 Okay. We had hoped that we would have Mr. Gary
24 Peterson, our newest Board member, join us today for his
25 first Board meeting. But due to reasons beyond his

1 control, he's unable to join us today. So we're hoping
2 that he will join us as soon as possible, and we're
3 waiting for him with open arms. So he'll join us as soon
4 as he can.

5 And I think that's about it for the initial
6 remarks.

7 Ms. Peace, would you like to let us know what
8 you've been up to for the last month?

9 BOARD MEMBER PEACE: I'll try, if my old eyes can
10 read this. I keep thinking, gosh, it's dark up there.
11 And I realized the light right above my desk is out.

12 But, anyway, on August 23rd, I toured the
13 Greenery and the new Miramar Landfill in San Diego. The
14 Greenery is run by the City of San Diego's Environmental
15 Services Department in conjunction with the landfill. The
16 Greenery takes almost all of the city's green waste and
17 wood waste, and food waste, about 3,000 pounds every three
18 days, from the Miramar Naval Corps Air Station.

19 From the green waste, wood waste, and food waste,
20 the Greenery produces tons and tons of wood chips, mulch
21 and compost. These products are so popular they can
22 hardly keep them on the ground. As soon as the nurseries
23 and landscapers know a new batch is ready, they are
24 waiting in line to get it. They have this little bumper
25 sticker here. The Greenery gives out small loads. They

1 give them away free to the public. They charge a minimal
2 fee for larger loads. Between this fee and the tipping
3 fee, the Greenery breaks even.

4 It's amazing to see the piles of wood waste and
5 the green waste and the gypsum board waste that would have
6 gone into the landfill in the past, but are now being
7 recycled into an in-demand product.

8 Also in August, I had a meeting in San Diego with
9 a couple of representatives from Allied Waste regarding
10 the trash flow in San Diego County. Allied Waste runs two
11 of the largest landfills in San Diego, the Otay and the
12 Sycamore Landfills.

13 And on August 30th, I went to the State Fair to
14 view the tire-derived product contest display. The
15 contest was sponsored by the Board to encourage the
16 development of new building and landscape products made
17 from waste tires. And while I was impressed with some of
18 the new products, such as the fence post anchor footing by
19 Environmental Tire Shredding and the rubber wheel stops by
20 West Coast Rubber, I do have to say that the display
21 itself was not an attention getter, to say the least. So
22 if we do decide to do this again in the future, we'll have
23 to get our Office of Public Affairs maybe involved and
24 jazz up the display a bit.

25 Also on August 30th, I attended, along with Chair

1 Marin and Board Member Mulé, the Californians Against
2 Waste Annual Birthday Bash. This year they were honoring
3 Assemblymember Loni Hancock and Senator Westly Chesbro and
4 Terry Tamminen for their contributions to improving
5 California's environment.

6 And that concludes my report.

7 CHAIRPERSON MARIN: Well, thank you.

8 Ms. Mulé, you were also pretty busy.

9 BOARD MEMBER MULÉ: Thank you, Madam Chair.

10 I had the honor to join you on August 19th for
11 the grand opening of the Antelope Valley Environmental
12 Collection Center and Household Hazardous Waste Collection
13 Center in Palmdale. And as we experienced on that day, it
14 truly is a partnership, a public/private partnership,
15 which is very successful. On their first day, I received
16 a letter from Chris Fall, who reported that on the first
17 day, which was August 21st, their opening day, over 700
18 cars passed through this new facility, dropping off
19 hundreds of thousands of pounds of household hazardous
20 waste, including over 100,000 pounds of e-waste for
21 recycling, as well as over 30,000 pounds of paint. So it
22 was truly a needed facility in that area of Los Angeles
23 County. And I want to thank staff for your help in
24 coordinating the event. It was truly something to be a
25 part of.

1 On August 22nd, I was here attending the AB 1497
2 Permit Regulations Workshop.

3 And on the 29th of September, I toured the K&M
4 Recycling Facility here in Sacramento. This facility
5 takes green waste and wood waste and grinds it up and
6 produces soil amendments as well as wood mulch. And it's
7 truly an impressive facility, because the facility where
8 they do most of their processing is fully enclosed. So
9 it's really quite a facility to see.

10 On the 30th of August, I attended the AB 939
11 Alternative Compliance Workshop here in Sacramento. And,
12 again, I want to thank Pat and his staff for an
13 outstanding job with this whole process. You truly have
14 listened to the stakeholders. You've incorporated much of
15 their comments and their suggestions into putting together
16 and fashioning a compliance alternative. So I really look
17 forward to the report. And I want to thank you again for
18 all your work on that. I really appreciate it.

19 On the 6th of September, I toured the North Area
20 Transfer Station here in Sacramento.

21 And last Monday, the 12th, I was involved and
22 attended the stakeholder discussion on the Board's role in
23 of LEA and facility operator training.

24 And that concludes my report. Thank you, Madam
25 Chair.

1 CHAIRPERSON MARIN: Thank you, Ms. Mulé.

2 And I see Mr. Washington has joined us. Welcome.

3 I know you were just a little bit late. Your plane was
4 just a little bit late.

5 BOARD MEMBER WASHINGTON: It's actually storming
6 down in L.A.

7 CHAIRPERSON MARIN: I know. I came from there.

8 BOARD MEMBER WASHINGTON: It was just a little
9 difficult getting out of there this morning. But I made
10 it, and I'm glad I'm here, Madam Chair. And I just have a
11 few items.

12 I had a chance this month to visit some landfills
13 and transfer stations around the state, and I had a chance
14 to visit L&D Landfill. Then I went over to K&M Transfer
15 Station here in Sacramento. Then I had the pleasure to go
16 down to Victorville landfill in San Bernardino County,
17 which is probably the best located landfill I've ever been
18 to. There is absolutely nothing but mountains around it.
19 And I told them, I said, "I'm going to call Howard and let
20 him know that's the best landfill I have seen, Howard,
21 anywhere in the state of California." I told them they
22 could be our poster child for landfills in the state.

23 And then when I was leaving the landfill, I had a
24 chance to go over to the city, and I did a drive-through
25 with the city of Hesperia, which they're doing a lot of

1 construction in that city. And then I recognized what the
2 staff was talking about when they were here from the city
3 about the construction work. And they really do need a
4 C&D in place. And so I'm going set up a formal tour with
5 them to really talk about this C&D and putting that in
6 place, because they have a lot of construction going on.

7 And then finally, Madam Chair, I have a letter
8 from the City of San Marino. The City Manager informed me
9 last night that they passed a city ordinance for a C&D
10 ordinance in the City of San Marino. So that's exciting.
11 And I'll make sure all you guys get a copy of this letter.

12 That concludes my report.

13 CHAIRPERSON MARIN: That was a result of your
14 efforts when you went directly to the city of San Marino.
15 We thank you very much for taking the trip, the long trip,
16 to the City of San Marino from where you live.

17 Yes, Ms. Peace.

18 BOARD MEMBER PEACE: I'd like to announce the
19 City of San Diego, despite all the problems down there
20 with the Mayor resigning and the City Council people being
21 indicted and the horrendous opposition from the business
22 community, that the City Council passed a mandatory C&D
23 recycling ordinance this week. So good for them.

24 CHAIRPERSON MARIN: Great for San Diego.

25 And great for us. You know, we know what works.

1 And for those cities that listen to what we have to say
2 and they follow it, good things happen.

3 I had a pretty busy month myself. On the 19th,
4 as some of you have heard, Ms. Mulé and I attended the
5 wonderful partnership with the Antelope Valley
6 Environmental Collection city between the city of Palmdale
7 and Lancaster. It was really a wonderful opportunity to
8 see -- an opportunity to see our tax dollars at work. And
9 that was really, really good.

10 That same day, I had visited the Edwards Air
11 Force Base. I should tell you all that -- I think this is
12 the second time. I actually was on a line doing the
13 segregation. It was really something, really something
14 else, because the lady that does it, she is obviously a
15 pro. And she actually has two conveyors, and she -- I
16 know. And she's awesome. You would think like she's a
17 juggler, right. Well, I tried to do that. This job
18 better work for a while, because I could not do that.

19 Then on August 24th, I visited two more counties
20 in Fresno. I toured the American Avenue Disposal site.
21 And in San Benito, I toured the John Smith Road Landfill.
22 During this trip, I was able to actually drive a
23 compressor. So I was on the landfill in a tractor that
24 weighs I don't know how many thousands and thousands of
25 pounds, and I was driving it. Now, if this job doesn't

1 work out, I can do that job. It was really amazing. With
2 the technology that they have, it's incredible. Within
3 this tractor, the driver can find out how much weight he
4 has on the items. It's amazing.

5 On August 27th, the Western Riverside Council of
6 Governments had a community dedication of a used oil
7 recycling program in Lake Paris, and I attended that.

8 On August 30th, we went to the Tire-Derived
9 Building and Landscape Product Design Competition and
10 Award Ceremony. As Ms. Peace had mentioned, that was at
11 the Cal Expo Fairgrounds, and we have a small presentation
12 later on. There were eleven winners. It was amazing to
13 see the ingenuity of our entrepreneurs.

14 On the 30th, I attended the Californians Against
15 Waste, the 28th birthday celebration here in Sacramento.

16 On September 7th and 8th, I visited the North
17 Area Transfer Station here in Sacramento County and
18 visited Modock and Glenn Counties, visited the Loyalton
19 Landfill, the Alturas Landfill. I went all the way to
20 Modock, it's amazing, and waste tire products and the
21 Glenn County Landfill.

22 Next week, I'm going to be visiting Merced and
23 Madera Counties. And once I finish that, I will only have
24 11 counties left, and I will have visited all 58. I'm
25 really excited about that. I'm on a roll.

1 On September 17th, the City of Ventura, just on
2 Saturday, I attended the City of Ventura's grand opening
3 of their own household hazardous waste collection
4 facility. And it's a smaller county, but they were
5 anticipating over 200 cars just that one Saturday, which
6 is amazing. It is very badly needed. And Assemblyman
7 Pedro Nava was there as well, and so was the Mayor of the
8 city.

9 But these are some of the efforts the Board
10 engages. I think that by and large this Board has been
11 far more engaged in all of the different programs that the
12 Board sponsors than any other time. And I'd really like
13 to thank my colleagues, because it's only when we go
14 throughout the state and visit the programs, visit with
15 the people and the Mayors and County Supervisors and the
16 LEAs, and the transfer stations and the landfills and all
17 of the different programs that we really get firsthand
18 knowledge of what the challenges are. And, therefore, I
19 believe we're better poised to develop the policies that,
20 in fact, actually they have to implement.

21 So as I mentioned to all of you, on August 30th,
22 Board Member Peace and I attended the award ceremonies for
23 the Building and Landscape Design Competition for the
24 tire-derived products at Cal Expo. The competition drew
25 about 80 entries. The contest panel honored 35 different

1 products with awards. These are new and improved products
2 that we expect will make a huge difference in the
3 development of sustainable markets for the 39 million
4 waste tires we generate annually in California.

5 Aside from the great food and great company, we
6 actually took a tour of the fair itself. I got to eat
7 popcorn. What do you call it? Kettle corn. That was
8 really good. Unfortunately, the Best of Show winner was
9 not able to attend the award ceremony. However, they are
10 here this morning to accept their awards.

11 The Best of Show is the category that really is
12 the most important category. It's the best of the entire
13 show. And I'm going to ask -- is Mike here, Mike Bradley?
14 There you are -- Chair of the Bureau of Exhibits for the
15 California Exposition and State Fair to join me in
16 presenting the Best of Show award to West Coast Rubber
17 Recycling.

18 Mike, would you please join me?

19 Accepting the award this morning is Cameron
20 Wright from West Coast Rubber Recycling.

21 CHAIRPERSON MARIN: Would you like to say a few
22 words, Mike? This is amazing. All of us are happy that
23 you were able to be here today, the Best of Show. You
24 want to tell us a little bit about how did he get that
25 honor?

1 MR. BRADLEY: Thank you, Madam Chair. It's a
2 pleasure to be here today on behalf of the Board of
3 Directors of the California State Fair and our staff. And
4 this is an exciting program which was brand-new to the
5 State Fair, brand-new to California relative to bringing
6 design and innovation into the state using a very unique
7 product, which of course are tires. And there are 39
8 million of those out there.

9 When we went into this program, it was a little
10 challenging for us to figure out how was this going to
11 work. What was going to happen? And we were very --
12 because of the staff's support, because of the Board's
13 support, and the grant and all the work we had done, we
14 were very pleased to actually receive actually over 90
15 entries, 80 that were judged, but 90 entries from
16 throughout the California. Excellent representation from
17 San Diego to actually Modock County, believe it or not, of
18 all the 58. There were a few from San Bernardino County.
19 And I would like to add I'm glad your trip to Palmdale was
20 so good, because that's my hometown where I was raised.
21 And Victorville is the greatest hidden resource in the
22 state of California by all those mountains.

23 But how were we going to come up with this and
24 what was going to happen? We were very pleased there was
25 tremendous innovation for landscape and product design.

1 And Cameron here, who was the winning entry -- produced, I
2 should say, the winning entry, was actually a unique
3 product that could be used everywhere in the state, every
4 county, anywhere you can find it. And that is -- I'm
5 going to get the name wrong probably, but it's a tire stop
6 basically. Just what you would see in a parking lot. And
7 there's got to be more than 39 million of those in the
8 state, I would image, based on all the automobiles.

9 So we're pleased to announce not only did Cameron
10 win in that category, but also in the landscape design
11 competition he won for some rubber-made product that was a
12 product that fills the landscape area, mulch. And so we
13 got some mulch over there. And that was an award here for
14 bronze award.

15 And he also won Best of Class, Best of Division.
16 We have some glass trophies. But most importantly, he did
17 win Best of Show. There are only about 25 of these that
18 are given in the state of California each year. That's
19 this golden bear which represents the state of California.
20 And one of those 25 will go to Cameron. So the Chair of
21 the Board did want one of these, but because she didn't
22 enter the competition, didn't win anything, we could not
23 offer her that opportunity. But there's an opportunity
24 for you in the future.

25 CHAIRPERSON MARIN: You can have this.

1 MR. BRADLEY: Every one of these awards are
2 Cameron and his company's.

3 And other thing that's unique is the ribbon for
4 Best of Show has the State seal metal for the state of
5 California as well.

6 (Applause)

7 CHAIRPERSON MARIN: We need our maintenance
8 department to help him haul all his trophies. Mike,
9 where's Mike? We need -- Board Member Mulé, what do we
10 have to do to win one of those golden bears?

11 MR. BRADLEY: We can discuss that at a later
12 time.

13 CHAIRPERSON MARIN: There's got to be a
14 competition we can enter.

15 MR. BRADLEY: Always an opportunity.

16 CHAIRPERSON MARIN: Thank you, Mike. And we hope
17 to do this next year and the next year and the next year.
18 Anyways, okay. Well, that's good.

19 Now is Mr. Mark Leary's report.

20 EXECUTIVE DIRECTOR LEARY: Good morning, Madam
21 Chair and members.

22 We have a couple of our own staff to recognize
23 today. A staff of more than 400 talented and dedicated
24 individuals is sometimes difficult to keep track of all
25 the personnel changes here at the Board. Yet, there are

1 times when it serves to mention special contributions, and
2 I think today is one of those times. I'd like to take a
3 couple of minutes to recognize the very special
4 contributions of two key members of our Information
5 Management Branch staff who have made their time here at
6 the Board. Unfortunately for us, though, they're making a
7 career change, and their time with us has come to an end.

8 This morning, I want to pay tribute to the
9 talents of Chris Allen and Nancy Grimes who have a
10 combined for 27 years of service to this Board.

11 First of all, Chris, if you wouldn't mind
12 standing. You'll be standing a while. I've got a lot to
13 read here, so get comfortable.

14 Chris Allen is a Senior Program Analyst with IMB
15 and has been an employee of the Board for the past 15
16 years. During that time, he's made some very fundamental
17 contributions to our automated information management
18 systems.

19 Chris recently informed us he accepted a position
20 at the State Water Resources Control Board, hence ruining
21 our relationship with them from this point forward, to
22 lead their system integration efforts for the reporting of
23 water quality data from the State and Regional Boards.
24 With regret, Chris will be leaving us. But, of course, we
25 wish him the best of luck in his new endeavor. And I'd

1 like to note he's not leaving the building, so we'll find
2 him if we need him.

3 Chris began his career here in 1990 as an
4 Integrated Waste Management Specialist in what is now the
5 Special Waste Division working on various grant programs.
6 In 1996, he accepted an Associate Programmer Analyst
7 position with the Information Management Branch and rose
8 through ranks promoting to his current position as Senior
9 Program Analyst and Supervisor in August 2001. Chris's
10 knowledge of information technology, his collaborative and
11 mentoring management style, and his dedication to quality
12 applications in customer service has been a hallmark
13 characteristic of his work here at the Board.

14 I've had the personal pleasure of working for
15 Chris's dad. So the fact he has these qualities doesn't
16 surprise me in the least. He's a strong reflection of his
17 father, and his father would be very proud.

18 During Chris's tenure as Web and Software
19 Development Manager, he's overseen and provided key
20 direction on such major systems as the Solid Waste
21 Information System, or SWIS, Grants Database, E-Waste
22 Database, Waste Tire Management System, and Waste Tire
23 Enforcement System, and basically overseen the development
24 and expansion of the Board net, the EPA net, the Board's
25 internet website. His work has resulted in numerous

1 compliments, of course, and kudos reflecting Chris's
2 attention to detail and commitment to excellence.

3 Under his leadership, the Information Management
4 Branch has moved from older application development
5 technologies to the current state-of-the-art development
6 tools, with a focus on web-based development. Chris is
7 known as a hands-on manager in collaborating with staff on
8 IT projects and is held in high regard by Executive Staff
9 for his knowledge of Board programs and his personal
10 interest and participation in key Board technology
11 initiatives. We want to recognize Chris's 15 years of
12 superb service and wish him well in his new endeavors.

13 Thank you, Chris.

14 (Applause)

15 EXECUTIVE DIRECTOR LEARY: And, unfortunately,
16 when it rains, it pours. IBM will be losing another key
17 staff member this month, Nancy Grimes.

18 Nancy, if you wouldn't mind.

19 The Board's E-Mail Administrator for the last 12
20 years is leaving to take a promotion to a Software
21 Specialist, Systems Specialist.

22 BOARD MEMBER WASHINGTON: She can't go. She
23 helps me every other day. There's no way.

24 EXECUTIVE DIRECTOR LEARY: I'm sorry, Nancy. I
25 have to follow direction. You cannot go.

1 Nancy came to the Board in May of 1993 as an
2 Associate Information Systems Analyst. During her 12
3 years in service here at the Board, she's been responsible
4 for all e-mail services and administration. Reliable and
5 consistant e-mail services are an essential ingredient to
6 smooth running here at the Board. And Nancy, of course,
7 has been instrumental in providing that service over the
8 years.

9 Nancy has had responsibility on configuring and
10 maintaining and upgrading our Exchange Outlook e-mail
11 services. She's also had the primary responsibility for
12 ensuring our various anti-virus, anti-spam, and e-mail
13 securities systems function correctly, along with the
14 e-mail backup and recovery capability.

15 Perhaps most importantly -- and Carl has already
16 mentioned it -- Nancy has performed these duties with a
17 calm and upbeat demeanor, even when faced with frantic
18 phone calls from staff wondering how to recover important
19 e-mails they just deleted or just deleted a few weeks ago.
20 Nancy's excellent customer service attitude was greatly
21 appreciated and will be sorely missed.

22 We want to congratulate Nancy on her promotion.
23 We'd also like to recognize her for her behind-the-scenes
24 efforts and expertise in keeping the Board's e-mail
25 software operational and running smoothly these last few

1 years. Thank you, Nancy.

2 (Applause)

3 EXECUTIVE DIRECTOR LEARY: Couple other things,
4 Madam Chair and members -- and I will also be introducing
5 a couple of our staff here in a moment as I conclude, but
6 we'll get to that in a minute.

7 In regards to compost, September 12th marked the
8 first of an ongoing series of collaborations and workshops
9 aimed at using abundantly available recycled organics to
10 solve current environmental problems. Titled, "The
11 Compost Solution," this collaborative workshop was
12 designed to show how this use of mulch in compost can help
13 us solve many of California's vexing environmental,
14 landscape, agricultural, and watershed management
15 problems. The workshop has provided a great opportunity
16 to compost trade groups and operators, government erosion
17 control contractors, and other stakeholders to review and
18 discuss a Board project designed to increase the use of
19 compost and mulch by Caltrans. It drew an attendance of
20 over 100 people and provided a solid forum for dialogue in
21 both the challenges and opportunities in the organics
22 industry.

23 And then, Madam Chair, I have an opportunity to
24 present you your own golden bear. It was about a year ago
25 I reported on the Board's success meeting both Board

1 member and staff success with respect to our vehicle
2 safety record. Well, we did it again. The California
3 Integrated Waste Management Board received the Governor's
4 Employee Safety Award for the greatest improvement in
5 reducing vehicle accident rates in Department driving less
6 than one million miles per year for the second year in a
7 row. This is a testament to the diligence that each of
8 you as Board members exercise as you drive -- apparently
9 they haven't seen the Chair drive -- excuse me -- to see
10 even more remote solid waste facilities and the care with
11 which our staff safely discharged their duties throughout
12 the state. I'd especially like to thank the Board's
13 vehicle coordinator --

14 CHAIRPERSON MARIN: Applications are up for
15 Executive Director of the Board.

16 EXECUTIVE DIRECTOR LEARY: I might have pushed my
17 limit there -- vehicle coordinator, Vickie Duke, as she
18 compiled all the Board's driving data and filed it with
19 the Department of General Services that ultimately
20 demonstrated our continued improvement. Again,
21 congratulations to all of us, and let's continue to be
22 careful out there.

23 (Applause)

24 EXECUTIVE DIRECTOR LEARY: Here's a little golden
25 bear right there in the picture.

1 In a minute, I'll be introducing Carroll Mortensen
2 for a legislative update. But before I do that, I'd like
3 to introduce -- speaking of traveling, I'd like to
4 introduce Bob Conheim from our Legal Office to give us a
5 brief report on his recent field trip to the Caribbean
6 island of Trinidad where he represented the Board at an
7 e-waste conference. Now our own Rastafarian -- he's cut
8 the dreadlocks since he came back, I noticed, Mr. Bob
9 Conheim.

10 STAFF COUNSEL CONHEIM: That caught me by
11 surprise.

12 I did hear some good news. Madam Chair, due to
13 your foresight and leadership, you accepted an invitation
14 to provide technical assistance to the Republic of
15 Trinidad, a small island nation the size of Rhode Island.
16 It's the southern most island in the Caribbean archipelago
17 seven miles off the coast of Venezuela. A long and
18 arduous travel to a country that is forward looking but
19 really needs technical assistance from states and nations
20 that are more advanced.

21 Let me say that the E-Waste staff shares the
22 speaking and technical assistance assignments. And when
23 Shirley Willd-Wagner, the Program Manager, was asked to
24 identify someone who could fulfill this assignment, she
25 first asked, and I heard her say so over the phone to

1 someone as I was passing by her office, "I don't know who
2 has a passport." And she looked up and said, "Bob has a
3 passport. We'll send him." And I backed up into her
4 doorway and I said, "Okay. Where am I going?" Because I
5 volunteered before I knew that it wasn't Iraq or New
6 Orleans and the floods. And it turned out it was
7 Trinidad. I was very fortunate.

8 The conference was an international conference
9 where we were the principle consultant, because we had the
10 program on the ground running. There were international
11 speakers, one from the United Nations, who talked about
12 economic development. There was a U.K. speaker who spoke
13 about asset management about a tool for e-waste
14 management. And there were a number of environmental and
15 public health speakers who described the various aspects
16 of hazardous waste, household hazardous waste, and e-waste
17 management.

18 But we were the ones, the California Integrated
19 Waste Management Board, that had struggled with deciding
20 whether we were going to have a product stewardship model,
21 whether we were going to have an advanced recycling fee.
22 And I provided a rather detailed explanation of both -- I
23 talked about the Board's initiatives beginning in 1990,
24 the Board's vision, the Board's Integrated Waste
25 Management hierarchy, the Board's values. And this was

1 all new information to the attendees. The attendees at
2 this conference were government officials, local
3 government officials, private businesses in the Island of
4 Trinidad, a nation of about one-and-a-half million people
5 which has five landfills, all unlined and all in wetlands.

6 They're making efforts to change the way they
7 behave. But in a country that has not paid much attention
8 to regulation, that has spurned even the most basic
9 regulations such as parking rules and red light running,
10 this is a major initiative on their part. And we provided
11 them a lot of information, which they really appreciated.
12 We had participation by the Minister, the Governmental
13 Minister of the Public Utilities and the Environment, and
14 the Director of the Environmental Management Agency, like
15 our CalEPA.

16 Let me go to the next -- how do we get back here?

17 There we go.

18 I just wanted to show you a couple of the
19 pictures that represent some of the activities at the
20 conference. The fellow in the center the left hand upper
21 picture is Ray M.S. Brathwaite, the Executive Chairman of
22 the Solid Waste Management Company Limited of Trinidad,
23 the wholly-owned state enterprise running environmental
24 programs related to solid and hazardous waste management.
25 It was through his leadership and his contacting Chair

1 Marin that this whole project was undertaken.

2 Mr. Brathwaite, Chairman Brathwaite, has a brother, Leon,
3 who is an energy specialist with the California Energy
4 Commission in Sacramento. So we have his family here.

5 In the lower right-hand corner, I was asked to
6 meet privately with the Minister of Public Utilities and
7 the Environment, and I presented to her a number of
8 things, including a copy of our blue statute book which in
9 most venues one might not think is a treasure, but to her
10 it was a real resource that she was glad to have. And I
11 was glad to do that.

12 The other photos are self-explanatory. And I
13 won't go too much further with that.

14 But all in all, it was an opportunity for
15 California to exercise not only its leadership in teaching
16 other people and other nations, but also for us to learn
17 about what worked and didn't work. One of the things that
18 we take for granted is that we're going with our heads
19 down implementing our law. But when you go to another
20 culture, another country, and they're willing to
21 critically think about what it is you're doing, we got a
22 lot of criticism and basic questions about which model was
23 best, product stewardship versus advanced recycling fee.
24 What does a nation like Trinidad do that has no
25 infrastructure itself and has no glass smelters. It has

1 no ability to process the material. Everything has to be
2 done off-shore.

3 So they got a lot of data and a lot of
4 information from us. In addition to the speech and
5 presentation I made, I also provided a lot of other
6 material. And I think we learned as much -- I certainly
7 learned as much as I was able to teach. And I appreciate
8 the opportunity to represent the Board.

9 And, Madam Chair, I thought long and hard about
10 how to present my credentials, and here's my diplomatic
11 pouch. And the only think I could think about being the
12 e-waste ambassador to Trinidad was to present my
13 credentials. And so I have -- this is how I define myself
14 these days, as the principle legal advisor to the staff
15 effort on e-waste.

16 So I thank you once again. And if you have any
17 questions, I'd be glad to answer them.

18 CHAIRPERSON MARIN: Thank you, Bob. You did a
19 fantastic job and represented the Board and California so
20 well. He is our ambassador to the world. And we really
21 appreciate you taking the time. And we really appreciate
22 the fact that you have a U.S. passport. That's really
23 important.

24 STAFF COUNSEL CONHEIM: I carried it around in my
25 briefcase for 30 years hoping someone would ask me to go

1 somewhere, and finally I got a trip out of the
2 preparation.

3 CHAIRPERSON MARIN: Thank you. It pays off.

4 EXECUTIVE DIRECTOR LEARY: There have been times
5 we've asked him to go someplace, controversial reg
6 packages.

7 Anyway, Madam Chair, I'd like to conclude my
8 report with the introduction of Carroll Mortensen, our Leg.
9 Director, who will briefly update us on the progress of
10 legislation affecting the Board.

11 ASSISTANT DIRECTOR MORTENSEN: Thank you, Mark.

12 Good morning, Madam Chair and Board members.

13 I'm Carroll Mortensen with the Legislative Office.
14 And I want to bring you a very quick update of what
15 happened to some of the bills we were tracking this year.
16 I will have a more formal and complete item next month for
17 the October Board meeting after the bill signing deadline
18 of October 9th so we'll know where we stand.

19 It was a pretty quiet year, even though it
20 started out looking like it might be really busy. We
21 ended up with a lot of bills that turned into two-year
22 bills, including the suite of bills dealing with
23 conversion technologies, which we have some update on some
24 testing that's been going on in Southern California.

25 So AB 177, the bill by Mr. Bogh, AB 727 by

1 Mr. Bermudez, and AB 1090 by Ms. Matthews were held in
2 Committee at the Natural Resources Committee. It's
3 looking like they will have an interim hearing on the
4 issue to gather some more information. We're looking at
5 probably mid-November for that, but it hasn't been
6 finalized. We'll keep you informed of that.

7 There was also a couple green building bills, AB
8 315 by Ms. Hancock dealing with building of new schools to
9 CHIPS standards, which is also held, as well as AB 701 by
10 Mr. Nava that would have set standards for new state
11 buildings to be built to the LEED standards, LEED platinum
12 standards. So we'll see what happens to those.

13 Also, there was a large number of bills that were
14 all kind of rumored to be maybe possible re-org bills for
15 the Waste Board or some sort of a next step for the
16 Integrated Waste Management Act, including SB 318 by
17 Ms. Romero, SB 411 Mr. Alarcon, SB 420 by Mr. Simitian,
18 and SB 928 and SB 1066 both offered by Mr. Pereta. Those
19 were all two-year bills, so we'll see what happens to
20 those.

21 We have two bills that already have been signed
22 by the Governor dealing with some of our programs. AB 575
23 by Ms. Wolk dealing with e-waste, and it corrected an
24 issue dealing with leasees and vendors that are involved
25 in our e-waste programs. So it provided some definitions

1 for them so they can more fully participate in the
2 program. And also SB 772 by Ms. Ducheny dealing with our
3 Tire Program, which adds some provisions for us to report
4 on at our Five-Year Plan dealing with the
5 California/Mexico border issues and waste tires.

6 And for bills headed that are at the Governor's
7 desk already, AB 338. This is Mr. Levine's bill on
8 rubberized asphalt concrete which mandates Caltrans to use
9 increasing amounts of crumb rubber and asphalt paving
10 projects over the next few years. Also AB 399 by
11 Ms. Monteez dealing with multi-family recycling. This
12 has a couple provisions for the Board, including us
13 developing model ordinances and other materials to help
14 both local governments and apartment owners increase
15 recycling at those facilities, as well as providing a good
16 faith effort provision as we do with the C&D recycling.
17 This would say that if somebody wanted a good faith effort
18 consideration from us and they had a large amount of their
19 waste coming from multi-family, that's one thing they
20 should be doing, is adopting a model ordinance on
21 multi-family recycling.

22 Ms. Pavley has a bill, AB 1125, dealing with
23 rechargeable batteries and recycling of those. It's
24 modeled after the cell phone bill she authored last year
25 which the Governor signed which requires retailers that

1 sell small rechargeable batteries to take those back. And
2 that would be a relief to the universal waste rules that
3 are due to take effect in February of 2006 that says those
4 can no longer be thrown away in the trash by householders.

5 There's AB 1249 by Mr. Blakesley. This is a
6 sponsored bill that we worked with State Fire Marshal's
7 Office on which gives them the authority to adopt regs
8 under their code dealing with waste tire pile fires. We
9 have it in our code right now, but evidentially it's much
10 easier for the local fire districts to enforce the codes
11 under -- if they come out of the State Fire Marshal's
12 office. So that's sitting on his desk.

13 AB 1721, this is another sponsored measure. This
14 is for the cleanup of the education environment initiative
15 bill that Ms. Pavley passed a few years ago, AB 1548.
16 This also has a provision in it that we need to -- this
17 bill has to be signed for us to spend our allocation that
18 was in the Governor's budget for implementation of that
19 bill, as well as some cleanup measures.

20 You may remember SB 455, which was a bill we were
21 working with Ms. Escutia's office on on some tire cleanup.
22 But that bill was -- she took that bill over at the end,
23 and she used it for a pesticide bill. So it's no longer
24 related to ours.

25 SB 743 by Senator Chesbro, this is a bill that

1 would add a compliance option to the rigid plastic
2 packaging container program that would allow plastic to be
3 counted that's used in non-regulated RPPCs and has a
4 provision to bring container manufacturers into the fold.

5 And, lastly, SB 1106, which is a bill that's
6 being offered by the Senate Environmental Quality
7 Committee. This is very similar to a measure we had an
8 approved proposal on a few years ago to finally clean up
9 the state agency buy recycled campaign statutes, which
10 were kind of strewn between the Public Resource Code and
11 Public Contract Code. So this should make it a lot easier
12 for people to understand that program.

13 All those bills are on the Governor's desk, and
14 the date for signing is October 9th. Like I said, in
15 October, I'll bring a more full item about what happened.

16 Any questions?

17 CHAIRPERSON MARIN: Thank you, Ms. Mortensen.

18 Are there any questions?

19 BOARD MEMBER MULÉ: Madam Chair, I just want to
20 thank Carroll and her staff for, again, you know, once
21 again, job well done. Having done tracked legislative
22 bills myself for many years, I can appreciate the time and
23 effort that goes into that. And so I just want to thank
24 all of you for your work. They do a very good job.
25 They're very thorough in their analysis. And most

1 importantly, you're very objective. And I think that's
2 critical that we're objective when we do review these
3 bills, and we just try to present all sides. So thank you
4 for all your work. You and your staff as well, thank you.

5 CHAIRPERSON MARIN: Ms. Peace.

6 BOARD MEMBER PEACE: Good job.

7 CHAIRPERSON MARIN: Okay. Well, that leads us to
8 the next item, which is public comment. At this point in
9 time, anybody that wishes to address the Board on items
10 not related to the agenda is welcome to approach the
11 Board. Actually, I think we have at least one person,
12 Mr. Ed Graves, Director of Economic Development, County of
13 Placer.

14 MR. GRAVES: Yes. Good morning, Madam Chair,
15 members of the Board. Absolutely delighted to be here
16 this morning, really two reasons.

17 Number one is to say thank you. You have been an
18 incredibly good partner with us in our efforts to attract
19 jobs and tax base and business and industry to Placer
20 County for over ten years now when you designated our
21 industrial area as a Recycling Market Development Zone.
22 It has been successful. And to date, you've, in fact,
23 awarded with the WRAP Awards some of our larger businesses
24 and industries, Hewlett-Packard, NEC, and most recently
25 East West Partners up in Tahoe.

1 Now, I heard that you do visit various places
2 that participate with you. East West Partners is
3 redeveloped North Star. In fact, it's the largest LEED
4 certified project we know in the western United States and
5 we think in the United States. It's over a \$3 billion
6 project.

7 And that leads me to the other part of my reason
8 for being here. As well, huge projects are awesome for
9 our tax base. The majority of the jobs that get generated
10 are from small business. And the majority of the
11 businesses in Placer County we found actually started in
12 Placer County. And you've also been a tremendous partner
13 in helping us in that effort. In fact, it's been
14 recognized by the California Community College program.
15 Their economic development and work force development
16 program, has presented you, and I'm here to present to you
17 this morning, the 2005 Exemplary Innovation Award. Now,
18 before I hand this to you, I'd like to tell you just how
19 you got this.

20 This is, by the way, the crystal equivalent of a
21 golden bear in the state of California. Incredible
22 partnerships, both public and private, were put together
23 in order for all of us to receive this award. In fact,
24 Placer County also received one of these for the same
25 effort. This past year, thanks to your staff, Corky

1 Mau -- I think Corky is here this morning, along with
2 Joyce Mason, who was our Zone Administrator, and then I
3 don't know what she did, but you took her away from us.
4 And you've given -- but, actually, we still win, because
5 Lisa Barry is now our Zone Administrator.

6 You do have an outstanding staff, by the way.
7 And they have been very helpful with us over the past
8 ten years, I have to tell you. They, working with Sierra
9 College, which is our community college for most of Placer
10 County, along with the private sector, U.S. Bank and Wells
11 Fargo Bank, funded and put together a set of 20 DVDs to
12 help businesses get created. In fact, your portion is
13 helping people recognize how they can use recycled
14 materials in the development of a product. These DVDs
15 help somebody take an idea or a thought and turn it into a
16 business or a manufacturing operation.

17 All of these people working together -- the U.S.
18 Bank, as a matter of fact, took this set of DVDs and has
19 funded one set in every small business development center
20 in the state of California. Of course, we wanted it all
21 for Placer County, but we were forced to share. And we're
22 now working with three people, all those businesses
23 actually getting started in Placer County.

24 I've got to tell you, we had some studies
25 commissioned by the Sacramento Regional Research

1 Institute. We found out over 60 percent of our
2 businesses, our manufacturers, actually started in Placer
3 County. And it was closer to 70 percent of our biotech
4 companies started in Placer County. So this is incredibly
5 useful to us and to the folks that we're trying to reach
6 out to and find and help them create jobs and tax base and
7 investment, at the same time, using recycled materials in
8 their process. So it is with a great deal of pleasure
9 that I thank you and your staff and the efforts that they
10 put in to helping all of us get this award this past year.
11 Thank you.

12 (Applause)

13 MR. GRAVES: The one person I did not recognize,
14 of course, was the one who did all the work on my staff,
15 Bobbi Park, who's the Zone Administrator for the Recycling
16 Market Development Zone in Placer County. I'd like to
17 introduce her to you this morning.

18 MS. PARK: Actually, he gives me a lot of credit,
19 but this is one innovative person. He does have the gold
20 equivalent of the Golden Bear award of 2005 as recognized
21 by CALED, California Association for Local Economic
22 Development. And he's been great to work for, and he
23 keeps people out of staff's way, so we can just go forth
24 and do what we do. And he's creative. He's just great to
25 work for. So we're really blessed in our office and to

1 have him in the county of Placer.

2 Actually, the one quick thing I wanted to say is
3 Ed and I both have to leave. We can't stay for this
4 afternoon's agenda item. But I do really want to
5 recognize and let you know that we did put forth and
6 submit for the record a letter of support for the
7 Recycling Market Development Zone Program. If not for the
8 zone program and zone incentive funds, we wouldn't have
9 had the seed money to get the patents and commerce groups
10 started. So we're really grateful for that and thank you
11 for allowing your staff to do that. I see some familiar
12 faces, Patty and Jim and again Corky and John Smith right
13 there.

14 And the other thing I want to say is I literally
15 can pick up the telephone and call Oakland/Berkeley RMDZ.
16 I can call the Riverside folks. And we network together
17 and collaborate. And it's just an infrastructure I hate
18 to see go away, because it's been building now for the
19 past ten years. So hopefully you'll take that into
20 consideration as you look at the RMDZ program. Thank you.

21 CHAIRPERSON MARIN: Hi, Bobbi.

22 Well, if you're under any perception this program
23 is going away, I don't know what would anybody do to do
24 that to you. Because we are, this entire Board, extremely
25 supportive of the RMDZ Program. So hopefully nobody

1 misinformed you. But we do believe, like you do, that
2 it's a very worthy program and we're here to support it.

3 I want to thank Mr. Graves for taking the time to
4 be here as well. You know, it's amazing, and I think that
5 the people that we just recognized that are leaving the
6 Board going to other places have already left, but this
7 Board, all its 434 employees -- actually now 432 -- work
8 very, very, very hard. And it is amazing, you know, as
9 we're the Board and the Chair, but when we lead this
10 organization, we're leading 434 extremely committed
11 individuals. And even the people that have been here
12 diligently working and unbeknownst to any of us -- of
13 course, Mr. Washington says he cannot help himself with
14 his own e-mail. He needs a lot of help from Nancy Graves.
15 But even the people that presumably work in the shadows,
16 you know, without their work, without their diligent
17 commitment, this Board would not be able to do what it
18 does. And it is really nice.

19 I accept this, not just on behalf of the Board,
20 but on behalf of all those 434 individuals that toiled day
21 in and day out to make California great, even greater, so
22 we get recognized. It's just oftentimes we're the ones
23 that are recognizing. But to be recognized for our
24 partnerships with organizations, whether they're nonprofit
25 or for-profit, it's really humbling. And I accept this on

1 behalf of all of the 434 employees of the Board. So thank
2 you very, very much.

3 And, you know, every time you receive an award,
4 there's a saying somebody much wiser than me said, "With
5 every honor comes a responsibility. And with every
6 privilege, a duty." As we receive this honor and this
7 privilege, we also embrace the duty upon us to continue to
8 strive for excellence and better performance. So thank
9 you very much for taking the time to give this recognition
10 to every employee. Okay.

11 (Applause)

12 CHAIRPERSON MARIN: I think that leads us to the
13 consent agenda.

14 Mr. Washington.

15 BOARD MEMBER WASHINGTON: Thank you, Madam Chair.

16 Just before we go to the consent agenda, I want
17 to inform Howard and to those out listening via the audio,
18 CNN is doing a story today on landfills in New Orleans.
19 And I think it would be very interesting if we can get
20 that story and see. And I think the story is centered
21 around all the waste now that is sitting out on the
22 streets, what happens to the landfills. And I think it
23 would benefit us as a state to know -- and God forbid we
24 ever have a disaster -- in terms of how they're dealing
25 with that.

1 So those out there listening via audio, we're
2 here in the boardroom, so we can't see it. If someone can
3 tune in and see what the story is and what it centered
4 around. They're starting to focus in on landfills now
5 down in New Orleans and Mississippi as well. So it would
6 be interesting -- I saw it this morning when they said
7 they'll be talking about it sometime this afternoon as it
8 relates to landfills. So I just want to share that with
9 you.

10 DEPUTY DIRECTOR LEVENSON: We'll certainly follow
11 up on that. I appreciate that heads-up. And just to let
12 you know, we have been coordinating through the Office of
13 Emergency Services to provide technical assistance. And
14 in particular, the City of L.A. has been requested by
15 local jurisdictions down in the gulf coast area to come
16 out. And there's quite a few people out from Southern
17 California are out there on the ground as well as folks
18 from OES and throughout the state. I don't know the
19 numbers, but I heard there's upwards of almost 2,000
20 people from the state of California out providing
21 assistance. So appreciate that heads-up, and we'll follow
22 up.

23 BOARD MEMBER WASHINGTON: Excellent.

24 CHAIRPERSON MARIN: Even our own Chris Peck from
25 our Board is coordinating -- where's Chris? Thank you,

1 Chris, for the great work you're doing over there.

2 Okay. With the consent agenda upon us, let me
3 just read for the people that follow the agenda. Items on
4 the consent agenda will be Item Number 1 -- Items Number
5 1, 2, 5 Revised, 8 Revised, 9 Revised, 10, 11 Revised, 14,
6 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
7 29, 30, 31, 32, 33, and 39 Revised.

8 Does anybody wish to remove any items from the
9 consent agenda?

10 Is there a motion?

11 BOARD MEMBER WASHINGTON: Madam Chair, I'd like
12 to move adoption of the consent calendar.

13 BOARD MEMBER MULÉ: Second.

14 CHAIRPERSON MARIN: Moved by Mr. Washington and
15 seconded by Ms. Mulé.

16 Call the roll, please.

17 EXECUTIVE ASSISTANT BAKULICH: Mulé?

18 BOARD MEMBER MULÉ: Aye.

19 EXECUTIVE ASSISTANT BAKULICH: Peace?

20 BOARD MEMBER PEACE: Aye.

21 EXECUTIVE ASSISTANT BAKULICH: Washington?

22 BOARD MEMBER WASHINGTON: Aye.

23 EXECUTIVE ASSISTANT BAKULICH: Marin?

24 CHAIRPERSON MARIN: Aye.

25 Okay. This is what we're going to do.

1 There is Item 3, 4 Revised, 36, and 37 are on
2 fiscal consent. So we will have an abbreviated version of
3 those items.

4 Items 7 and 12 have been pulled.

5 Items 13, 35, and 38 were heard at Committee only
6 and will not be heard at the Board.

7 And Items 6 revised, 34, 40, 41 Revised, 42
8 Revised, and 43 will be the items that will be heard by
9 the full Board.

10 So with that, that leads us to the new business
11 agenda items, Permitting and Enforcement Committee report
12 by Ms. Mulé.

13 BOARD MEMBER MULÉ: Thank you, Madam Chair.

14 At our Committee, we heard seven items. One item
15 was pulled, so there were seven that we heard. Three were
16 permit items. There were two scopes of work, one cleanup
17 program, and one grant award. We do, as you mentioned,
18 have two items for fiscal consent, Items 3 and 4. And
19 Item 6 was moved to the full Board for consideration.

20 So with that, I'm going to turn it over to Howard
21 Levenson to have staff provide us with a brief
22 presentation on Items 3 and 4.

23 CHAIRPERSON MARIN: Okay. Mr. Howard Levenson.

24 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
25 Chair. And good morning, Board members. I'm Howard

1 Levenson with Permitting and Enforcement Division.

2 As you indicated, Item 3 is on fiscal consent.

3 This is Consideration of New Projects for the Solid Waste
4 Disposal and Codisposal Site Cleanup Program and the Solid
5 Waste Disposal Trust Fund for Fiscal Years 2005-2006.

6 We have one new Board-managed project pursuant to
7 the Solid Waste Disposal and Codisposal Site Cleanup
8 Program, and that is the Stoney Brook illegal disposal
9 site in Kern County. This is a very significant site. It
10 has the resting place for Cesar Chavez, a public library,
11 and a visitor center that's going to be constructed using
12 grant moneys from the State Library. And there are legacy
13 trash problems at the site. So we are proposing a
14 Board-managed cleanup of up to \$150,000 using funding
15 that's already in our existing environmental services
16 cleanup contract.

17 And with that, since the Committee recommended
18 consent, fiscal consent, I'd like to recommend that you
19 approve the proposed project and adopt Resolution Number
20 2005-238.

21 CHAIRPERSON MARIN: Is there a motion for that?

22 BOARD MEMBER MULÉ: Madam Chair, I'd like to
23 approve Resolution 2005-238.

24 BOARD MEMBER WASHINGTON: Second.

25 CHAIRPERSON MARIN: Moved by Ms. Mulé, seconded

1 by Mr. Washington.

2 Call the roll, please.

3 EXECUTIVE ASSISTANT BAKULICH: Mulé?

4 BOARD MEMBER MULÉ: Aye.

5 EXECUTIVE ASSISTANT BAKULICH: Peace?

6 BOARD MEMBER PEACE: Aye.

7 EXECUTIVE ASSISTANT BAKULICH: Washington?

8 BOARD MEMBER WASHINGTON: Aye.

9 EXECUTIVE ASSISTANT BAKULICH: Marin?

10 CHAIRPERSON MARIN: Aye.

11 Next item.

12 DEPUTY DIRECTOR LEVENSON: Item 4 is

13 Consideration of the Grant Awards for the Farm and Ranch

14 Solid Waste Cleanup and Abatement Grant Program from the

15 Farm and Ranch Cleanup Account, Fiscal Years 2005-2006.

16 At the Permitting and Enforcement Committee

17 meeting, we presented information about seven

18 applications, six of which the Committee recommended for

19 fiscal consent and approval. There were some questions

20 remaining about the one application from Marin County and

21 the Gerbosi Ranch site. We've since done additional staff

22 work with the LEA, and Scott Walker who manages that

23 overall branch in that program is here to make a

24 presentation to provide you that additional information

25 that we've received so we can recommend approval of that

1 award as well.

2 CHAIRPERSON MARIN: Okay.

3 BRANCH MANAGER WALKER: Thank you. Scott Walker,
4 Permitting and Enforcement Division. Carla Repucci has a
5 sick kid today, so I'm standing in for her.

6 As stated by Howard, this item for fiscal consent
7 is for six of the seven grant applications and Revised
8 Resolution was posted reflecting the Committee's direction
9 for staff to do an additional analysis of the application
10 in question prior to bringing it back for a
11 recommendation.

12 Staff had brought to the attention of the
13 Committee a recent local newspaper article with statements
14 that erosion control directed by the Soil Conservation
15 Service might explain the origin of tires from this
16 remaining application. This brought up concerns that the
17 property owner may actually be responsible for the
18 dumping, therefore contrary to the program requirements
19 and also contrary to the Board's Sonoma tire pile cleanup
20 agreements.

21 In consultation with the Special Waste Division
22 and the Board's Legal Office, Program staff requested
23 additional information from the applicant and further
24 analyzed the appropriateness of the application in
25 question. The application was submitted by the Marin

1 County Solid Waste Local Enforcement Agency. They
2 requested in this application, which was their second
3 application of this round, \$18,465 to complete the cleanup
4 of the Gerbosi Ranch illegal disposal site. This site was
5 awarded a Farm and Ranch Grant last year. However,
6 additional funding to near the grant limit per site is
7 being requested because additional waste has been
8 discovered at the site. The site is predominantly tires,
9 and there are approximately 5,000 remaining tires on the
10 site, in addition to 40 cubic yards of trash and other
11 debris which is commingled with these remaining tires.
12 Approximately 10,500 tires were removed under the previous
13 grant, and the remaining is what the LEA is requesting
14 funding for.

15 By letter dated September 15th, and copies are at
16 the front desk, the LEA reaffirmed that the property
17 owner -- with the property owner that there is no
18 knowledge or credible evidence that the tires were placed
19 at the site for erosion control purposes. The LEA's
20 statements are corroborated by photographs that also
21 indicate that tires were placed in a random haphazard
22 manner, significant mixed trash and other debris, clearly
23 in a manner that's not conducive to erosion control.

24 When the LEA initially learned of the site, the
25 property owner was suffering from Alzheimer's disease.

1 Consequently, the owner was unable to provide information
2 regarding placement of the tires on the property. He is
3 now deceased. The person who is leasing, operating, and
4 residing on the ranch at the time the original owner
5 purchased the property continued to do so for a number of
6 years after sale. That person also is now deceased. The
7 owner's heirs are the current owners. And they have
8 signed an affidavit that they have no knowledge regarding
9 how, when, or why the tires were placed on their property.
10 None of the Gerbosi family members also have ever lived on
11 the property.

12 Just to remind the Board, pursuant to this
13 program, property owners must sign an affidavit under
14 penalty of perjury stating they did not authorize or
15 contribute to the illegal dumping. The grant applicant
16 must verify that the application including the affidavit
17 is complete and correct. Program staff and the Legal
18 Office have reviewed the affidavit and the additional
19 supporting information for this site and conclude that the
20 application is in accordance with applicable program
21 requirements and not in conflict with the Sonoma tire pile
22 cleanup agreements.

23 In conclusion, staff recommends that the Board
24 adopt the original Resolution 2005-239 approving grants
25 pursuant to the Farm and Ranch Program totaling

1 \$276,132.68 for Mendocino County Solid Waste Management
2 Authority, Shasta County, Tulare County Resource
3 Conservation District, Yolo County Resource Conservation
4 District Applications 1 and 2, and Marin County
5 Applications 1 and 2.

6 The Marin County LEA representatives are here to
7 answer questions, in addition to Program and Legal staff.
8 Thank you.

9 CHAIRPERSON MARIN: Thank you, Mr. Walker.

10 Cynthia Barnard, Marin County LEA, please come
11 forward. So you've been working with this site for a
12 while?

13 MS. BARNARD: Yes.

14 CHAIRPERSON MARIN: And what led to that initial
15 article that gave us the impression that not everything
16 that we had thought was what we had thought?

17 MS. BARNARD: Well, the County has been dealing
18 with a disgruntled rancher for many years in litigation on
19 another matter. And it appears that any time there's an
20 incident that he can taint the County with, he doesn't
21 stop. And I think his remarks to their reporter, who is
22 very new and naive, and I think that created some
23 problems. And we tried to discuss the program -- our
24 program with the reporter, and we thought we had turned it
25 around, but evidently he had lots of inaccuracies in the

1 article.

2 CHAIRPERSON MARIN: Okay. Are there any
3 questions for Ms. Bernard?

4 No.

5 You realize that you are the Local Enforcement
6 Agency. There is heavy reliance from our Board on your
7 best judgment and your truthfulness and your voracity of
8 the facts and so forth. So this Board relies heavily on
9 your advice. And, you know, unless anybody has any
10 questions, we're putting the onus on you.

11 MS. BARNARD: Thank you, Madam Chair.

12 CHAIRPERSON MARIN: I mean, our staff does an
13 incredible job following up, but we will take your lead.
14 At the end of the day, you are the lead enforcement
15 agency. So we trust your best judgment.

16 And let me see. Is there a motion for that?

17 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
18 that we adopt the original Resolution 2005-239.

19 BOARD MEMBER WASHINGTON: Second.

20 CHAIRPERSON MARIN: Moved by Ms. Mulé, seconded
21 by Mr. Washington.

22 We're spending money. Call the roll, please.

23 EXECUTIVE ASSISTANT BAKULICH: Mulé?

24 BOARD MEMBER MULÉ: Aye.

25 EXECUTIVE ASSISTANT BAKULICH: Peace?

1 BOARD MEMBER PEACE: Aye.

2 EXECUTIVE ASSISTANT BAKULICH: Washington?

3 BOARD MEMBER WASHINGTON: Aye.

4 EXECUTIVE ASSISTANT BAKULICH: Marin?

5 CHAIRPERSON MARIN: Aye.

6 Thank you.

7 MS. BARNARD: Thank you, Madam Chair and Board
8 members.

9 BOARD MEMBER PEACE: I just want to say,
10 Mr. Leveille, if you're listening, the money that the Tire
11 Program does put into the Farm and Ranch Program actually
12 does go to clean up tires.

13 CHAIRPERSON MARIN: Okay. I'm sure he's
14 chuckling right now.

15 Okay. That leads us to Item Number 6, Mr.
16 Levenson.

17 DEPUTY DIRECTOR LEVENSON: Thank you.

18 And I just want to again thank Scott Walker and
19 Cynthia for handling that situation so well.

20 Item 6 is Consideration of a Revised Full Solid
21 Waste Facilities Permit Disposal Facility for the L&D
22 Landfill in Sacramento County. At the Permitting and
23 Enforcement Committee meeting, we had several outstanding
24 issues. Those have been resolved. And for the record,
25 I'd like to have Angela Basquez make a presentation that

1 outlines the proposed changes and the findings we've been
2 able to make.

3 CHAIRPERSON MARIN: Ms. Basquez.

4 MS. BASQUEZ: Good morning. This is the
5 Consideration of Revised Full Solid Waste Facilities
6 Permit Disposal Facility for L&D Landfill.

7 The proposed revised permit is to allow the
8 following: Increase the tonnage from 2,540 to 4,125 tons
9 per day up to an additional limit of 10,000 cubic yards
10 per day; change the estimated closure date from 2016 to
11 2013; and expand the hours of operation; ancillary
12 operations Monday through Saturday, 6:00 a.m. to 6:00
13 p.m.; and receipt of refuse waste Monday through Friday
14 6:30 a.m. to 4:30 p.m. and Saturday 8:00 a.m. to 1 p.m.

15 At last week's Committee, the findings were met
16 except for the consistency of State Minimum Standards. On
17 August 29th, 2005, Board staff in conjunction with the
18 Sacramento LEA did a pre-permit inspection of the site and
19 sited three violation of the State Minimum Standards and
20 three permit violations. A follow-up inspection was
21 conducted on September 15th, 2005, with the Sacramento
22 LEA. L&D Landfill is consistent with State Minimum
23 Standards. All records reviewed and adequate.

24 The permit application package is complete and
25 correct. The joint technical document meets the

1 requirements of Title 27 California Code of Regulations
2 Section 2160. The proposed provides solid waste
3 facilities permit is consistent with and is supported with
4 the existing CEQA analysis.

5 In conclusion, staff recommends the consideration
6 of a revised solid waste facilities permit for L&D
7 landfill and adopt Resolution 2005-241. And the
8 Sacramento LEA and operator are present if you have any
9 questions. Thank you.

10 CHAIRPERSON MARIN: Thank you, Ms. Basquez.

11 Questions for Ms. Basquez?

12 Ms. Peace.

13 BOARD MEMBER PEACE: Well, I have a question more
14 on stipulated agreements and not on this particular thing.
15 So if people have questions on this, I'll ask my questions
16 after.

17 CHAIRPERSON MARIN: Okay. Any questions on this
18 item?

19 Okay. I know you've said it, but the question
20 that we had pending when it came to Committee was that the
21 staff was going to do a site visit. And subsequent to
22 that, this is now before us. But, okay, what's your --

23 BOARD MEMBER PEACE: I don't have any questions
24 with this permit. But I have a question regarding
25 stipulated agreements. I guess actually concerns

1 regarding stipulated agreements.

2 CHAIRPERSON MARIN: Let me deal with this then.

3 Let me deal with this item then. Let me take a motion on
4 that.

5 BOARD MEMBER WASHINGTON: Before I do that, Madam
6 Chair, let me say I did, too, visit -- and I mentioned I
7 visited this landfill. And, again, they are operating a
8 good facility. And I told them that when I left the
9 facility that I do believe it's in a great location. It
10 might not be the poster child location, but it's a great
11 location. And they are doing an excellent job out there.

12 One of the things I noticed on this landfill I
13 haven't seen on any others is they have their own
14 operation of fixing all of their equipment right on
15 location, which is really good. They don't have a bunch
16 of things going, you know, through the city and holding up
17 traffic and things like that. So they have done a good
18 job at this particular landfill. And we certainly are
19 glad to have landfills like this in the state of
20 California.

21 And with that, I'd like to move adoption of
22 Resolution 2005-241.

23 BOARD MEMBER MULÉ: I'll second that.

24 CHAIRPERSON MARIN: Moved by Mr. Washington and
25 seconded by Ms. Mulé.

1 Please call the roll.

2 EXECUTIVE ASSISTANT BAKULICH: Mulé?

3 BOARD MEMBER MULÉ: Aye.

4 EXECUTIVE ASSISTANT BAKULICH: Peace?

5 BOARD MEMBER PEACE: Aye.

6 EXECUTIVE ASSISTANT BAKULICH: Washington?

7 BOARD MEMBER WASHINGTON: Aye.

8 EXECUTIVE ASSISTANT BAKULICH: Marin?

9 CHAIRPERSON MARIN: Aye.

10 Let me ask you this. Would this be under new

11 business, Ms. Peace?

12 BOARD MEMBER PEACE: No. I think old business.

13 CHAIRPERSON MARIN: Okay. As much as I would

14 like to deal with this, would this be considered -- let me

15 ask Elliot. Would this be considered -- if she has a

16 question, because it's not on the agenda regarding

17 stipulated agreements. I don't want to rule you out of

18 order.

19 BOARD MEMBER PEACE: Please don't do that.

20 CHAIRPERSON MARIN: You can ask a question, and

21 maybe we can bring this item back. I'll give you the

22 courtesy of asking the question, but we may have to bring

23 this item back for full consideration by the Board.

24 STAFF COUNSEL BLOCK: That's what I was going to

25 suggest. I can't actually tell without hearing the

1 question. Why don't we have the question -- if it's a
2 short, quick answer, with the pleasure of the Board, we
3 can take care of it. Or if it's more involved, we can
4 then bring something back.

5 CHAIRPERSON MARIN: Because since it's not --

6 BOARD MEMBER PEACE: If it's more involved, it
7 will have to come back. But, you know, we had two permits
8 that had stipulated agreements. And our P&E Department
9 determined that market changes and available capacity
10 within a region that can potentially impact permitted
11 capacity of other facilities do not constitute temporary
12 emergencies that allow the LEA to issue stipulated
13 agreements authorizing exceedance of permitted tonnage and
14 traffic limits. And in staff's view, the LEA should not
15 have issued the two stipulated agreements in question.
16 And the Board staff also agreed that additional guidance
17 regarding the use of stipulated agreement regulation may
18 be warranted.

19 And what one question I was going to ask is how
20 will we be making it clear to the other LEAs in the state
21 that they can't write stipulated agreements in these types
22 of situations? Because I have to tell you, in my meeting
23 down in San Diego with Allied Waste regarding the trash
24 flow in San Diego County, there are rumors that the City
25 is going to start limiting the amount of trash flow into

1 the Miramar Landfill because they want to extend the life
2 of that landfill. And, of course, Sycamore and Otay are
3 very concerned about that, because they're saying if
4 Miramar cuts back, then that's going to increase the
5 tonnage. And we're going to be over our limit, because
6 they're already very close to their limits now and
7 sometimes going over their limits. They're asking, what
8 can we do? Can we get a waiver from the Board? Can we
9 get a stipulated agreement? What can we do? So we need
10 to make it clear that, you know, to every LEA that they
11 can't be writing stipulated agreements in these types of
12 situations.

13 CHAIRPERSON MARIN: Yeah. Actually, we dealt
14 with some of this during Committee.

15 Howard, would go ahead and answer the question?

16 DEPUTY DIRECTOR LEVENSON: Thank you, Ms. Peace,
17 for bringing that up.

18 As a result of the two stipulated agreements in
19 Sacramento County, we did have a lengthy meeting with
20 Mr. Leary and the Environmental Health Director and the
21 LEA just regarding this particular situation and have
22 since provided in writing advice to them on that
23 situation.

24 Just yesterday, I reviewed a draft all-LEA
25 letter that will provide similar guidance to all LEAs.

1 That should be provided the next day or two indicating
2 other courses that are available to them in this
3 situation. Because as you indicate, a change in the
4 infrastructure or the market that's not due to the natural
5 disaster like a flood or something simply does not
6 constitute a temporary emergency in our opinion. So that
7 will be issued shortly.

8 With respect to San Diego, I also did have
9 conversations with Mr. Helget about that possibility and
10 advised him that was not something that we felt was
11 appropriate. And so he's looking into other possibilities
12 of working with the LEA down there. So I think that we
13 are on top of it.

14 We're going to be down at the Environmental
15 Health Director's Conference tomorrow and Thursday, and we
16 certainly are going to be talking to the environmental
17 health directors about that on the side and report back to
18 you if there's any changes in that situation.

19 CHAIRPERSON MARIN: And as a matter of fact, that
20 is the reason why an item that was going to be coming
21 before the Board that dealt a lot with that particular
22 issue is not before the Board as of right now.

23 BOARD MEMBER PEACE: I have one more question for
24 Legal regarding stipulated agreements, if I may.

25 CHAIRPERSON MARIN: I'm just -- he needs to tell

1 me, because I'm getting a little bit antsy that we're
2 discussing this that hasn't really been agendized. You
3 can ask the question.

4 BOARD MEMBER PEACE: I pulled the transcript of
5 Mr. Leary's comments at the last Board meeting and, you
6 know, where he said in staff's opinion these situations do
7 not constitute a temporary emergency. But he goes on to
8 say, "I question whether the LEA has the authority to
9 issue these stipulated agreements. However, the
10 regulations do not expressly grant the Executive Director
11 authority to deny issuance of the waiver on that basis."
12 And I'm just wondering, why is it that the Board or the
13 Executive Director can't deny or rescind a stipulated
14 agreement if it wasn't warranted in the first place? And
15 is it something that we'll need to talk about later,
16 something we need to fix in regulations?

17 STAFF COUNSEL BLOCK: Do you want to go ahead?
18 Let me just, before Michael jumps in, I mean, that was
19 something -- it's a creature of the way the regulations
20 were drafted and part of what was going on there. So
21 seems to me that if you'd like to revisit that or have
22 some broader discussion of that, we probably ought to be
23 doing another agenda item for future meeting. But I don't
24 know if there's a one sentence answer.

25 EXECUTIVE DIRECTOR LEARY: I think that is it,

1 Elliot. Madam Chairs and members, as the person in the
2 hot seat pursuant to the regulations, I share Member
3 Peace's concerns about the discontinuity, I suppose,
4 within the regulations. And I would propose that we do
5 bring this back before the Permitting and Enforcement
6 Committee and re-evaluate these regs.

7 CHAIRPERSON MARIN: It will probably have to go
8 to Permit and Enforcement anyways. Since you're not a
9 member of that Committee, you're welcome to join us.

10 BOARD MEMBER MULÉ: You're more than welcome to
11 attend our meeting.

12 CHAIRPERSON MARIN: Thank you, Ms. Peace.

13 We actually did have a significant discussion
14 during the Committee regarding that. I just don't want
15 anybody out there saying that we're taking a lot of time
16 discussing an item that has not been agendized. But I
17 like to -- whenever possible, I like to accommodate a
18 member.

19 BOARD MEMBER PEACE: Thank you, Madam Chair. I
20 appreciate that.

21 CHAIRPERSON MARIN: That then takes us to you,
22 actually, Special Waste Report from Committee Chair, Ms.
23 Peace.

24 BOARD MEMBER PEACE: We heard three items in
25 Committee last week, all of which were placed on consent.

1 Item Number 9 regarding the targeted rubberized asphalt
2 concrete incentive grant program, some changes were made
3 in Committee prior to it being approved and placed on
4 consent.

5 There is a revised agenda item which reflects the
6 following changes. One, the maximum grant award for each
7 jurisdiction category was increased by \$25,000; eligible
8 projects must now use the ASTM standard for RAC instead of
9 the 20 pounds of crumb rubber per ton requirement. And
10 any jurisdiction that hasn't used RAC in the last
11 ten years will be eligible, regardless of how many
12 projects they had prior to that.

13 Item Number 10, eligibility criteria for the
14 Rubberized Asphalt Concrete Grant Program was approved.
15 This was the third and last cycle of the SB 1346 Kuehl
16 Grant RAC Program.

17 Item Number 11, applicant eligibility and
18 evaluation for the Tire-Derived Product Grant Program.
19 This grant program is replacing the Track and Playground
20 Grant Programs of the past. Now all products made from
21 California waste tires will be eligible. And for those of
22 you that didn't hear, staff took what used to be an
23 18-page grant application and condensed it down to a
24 six-page application.

25 And I want to thank you, Tire staff, for working

1 to make our grant programs more streamlined and efficient.

2 And that concludes my report.

3 CHAIRPERSON MARIN: Okay. Mr. Lee, is there
4 anything that you would like to add?

5 DEPUTY DIRECTOR LEE: Nothing extra at this time,
6 Madam Chair.

7 CHAIRPERSON MARIN: Thank you.

8 Then we'll go on to the Sustainability and Market
9 Development Committee. I was the proud Chair of the
10 longest Committee meeting in the history of the Board on
11 record. There were 28 items. Thankfully, to the great
12 work of the Committee, 21 items were placed on consent.
13 Two are on fiscal consent to be heard by the Board. We
14 heard three items only in Committee. One of them had to
15 do with the discussion and request for direction regarding
16 the 2004-2005 adjustment method review working group
17 recommendations. Then we also heard an update on the
18 implementation of SB 2050, the Electronic Recycling Act of
19 2003, and a discussion of the stakeholders' concerns.

20 It is my deeply-held belief that the four
21 particular items of biggest concern to the stakeholders
22 that our staff diligently will come up with the right
23 solutions for everybody.

24 And then we also had a presentation on the
25 Recycle Store activities. We will be hearing at the Board

1 a presentation by the University of California Riverside
2 on pyrolysis emission testing results, the results of the
3 post-MRF municipal solid waste. And also we'll be hearing
4 a presentation related to implementing the Governor's
5 Executive Order S 305 on climate change. So that will
6 lead us, Patty, to Item Number 34, the full Board. Thank
7 you, Patty.

8 DEPUTY DIRECTOR WOHL: Patty Wohl with the Waste
9 Prevention and Market Development Division.

10 Agenda Item 34 is an oral presentation by
11 University of California Riverside on pyrolysis emissions
12 testing results of post-MRF municipal solid waste. And
13 Fernando Burton of our staff and Dr. William Welch will be
14 presenting.

15 CHAIRPERSON MARIN: Mr. Berton.

16 (Thereupon an overhead presentation was
17 presented as follows.)

18 ORGANICS MATERIALS MANAGEMENT SUPERVISOR BERTON:

19 Yes. Good morning, Madam Chair and Board members. I'll
20 be brief.

21 As you recall, one of issue that we've been
22 grappling with as we continue our research on the
23 conversion technologies is the lack of emissions data.
24 I'm happy to report we do have some data from some
25 pyrolysis testing of post-MRF residuals. This testing was

1 conducted by International Environmental Solutions
2 facility in Romoland, California.

3 We asked our University of Riverside contractor
4 to analyze the emissions data and provide his analysis to
5 us. And that's what he's here for today. We also have
6 representatives from the South Coast Air Quality
7 Management District who will provide some analysis as
8 well. And I appreciate them taking the time and effort to
9 come up here.

10 With that, I'll turn it over to Bill Welch of
11 U.C. Riverside.

12 CHAIRPERSON MARIN: Dr. Welch, welcome. We are
13 so anxious to hear you. You have no idea.

14 MR. WELCH: Thank you, Madam Chair. Thank you,
15 Members. First of all, thank you. I think I've got a
16 promotion here to doctorate, even though I do not have a
17 Ph.D. But I appreciate the honorary promotion.

18 CHAIRPERSON MARIN: We grant honorary degrees.
19 How's that?

20 MR. WELCH: I'll accept that. Thank you very
21 much.

22 As Fernando mentioned, we've been involved, of
23 course, for a couple of years under contract with the
24 Board to evaluate alternative conversion technologies for
25 solid waste disposal. And this included biological as

1 well as thermal processes. And, of course, what has been
2 a challenge is coming up with the independent third-party
3 emissions data to look at the environmental impacts. So
4 we're fortunate to have the first such facility in
5 California to go through this process, and I want to thank
6 International Environmental Solutions for agreeing to
7 share the results with us.

8 --o0o--

9 MR. WELCH: To get to the facility, many of you
10 have actually visited this site. In the foreground,
11 you'll see the first of a three-stage process. And that
12 is a pyrolysis unit. For those of you who aren't familiar
13 with pyrolysis, this is a high-temperature, low-oxygen
14 environment that breaks down the organic molecules
15 containing the municipal solid waste into lighter
16 molecular weight gasses.

17 In the middle of the process, the silver cylinder
18 you see in the middle of the picture is a thermal
19 oxidizer. Those gasses created in the pyrolysis unit
20 traveled through the thermal oxidizer where they're
21 combusted at very high temperatures.

22 Following the thermal oxidizer, the heat
23 generated from that combustion is recovered in waste heat
24 boilers to generate steam. And, ultimately, that steam
25 will be used to generate electricity. In the back of the

1 picture, you see a big, tall unit. That's part of the air
2 pollution control system which consists of activated
3 carbon injection, bag house filter, and a scrubber unit.

4 --o0o--

5 MR. WELCH: The feedstock that was used in the
6 testing was a post-MRF residual from Southern California.
7 Here's just a quick picture of what it looked like going
8 into the system.

9 --o0o--

10 MR. WELCH: Here's a closer look at the back end
11 of the process, the air pollution control. The big
12 structure you see there is the scrubber, which is the
13 final unit, followed by the smokestack. So the air
14 emissions sampling was conducted on the roof of the
15 facility.

16 --o0o--

17 MR. WELCH: The testing was very extensive. The
18 South Coast Air Quality Management people will go over the
19 protocols and what was required. But it was approximately
20 80 hours of testing. They looked at air emissions, both
21 the traditional air pollutant emission for NOx, carbon
22 monoxide, carbon dioxide, as well as integrated samples
23 that were taken for particulate matter, metals, dioxins,
24 and furans.

25 In addition, they sent out a couple of samples

1 for feedstock analysis and then solid waste analysis of
2 the residues. The residues from this process include char
3 at the back end of the pyrolysis unit and then bag house
4 residue from the air pollution control system.

5 --o0o--

6 MR. WELCH: With regard to air emissions, there
7 are currently no regulatory limits for these types of
8 processes, nor standard emission factors like you may see
9 for other types of industries. So what we've done is in
10 order to make an apples to apples comparison, we've taken
11 the results and normalized them to a standard
12 concentration so we could compare them with other types of
13 limits, including the South Coast Air Quality Management
14 District, permit limits for municipal solid waste
15 incinerators, European limits for thermal conversion
16 processes, and U.S. EPA limits for starved air combusters.

17 The bottom line on the air emissions results, the
18 tests show compliance with the criteria pollutants, except
19 for NOx, which I'll go over a little bit later. They're
20 currently involved in developing a NOx control strategy to
21 meet that limit. And then there's also a health risk
22 assessment that's currently underway.

23 --o0o--

24 MR. WELCH: Here are the numbers in tabular form.
25 I'll go through this quickly. I have it in graphical form

1 later. But you can see that particulate matter, NOx,
2 carbon monoxide, sulfur dioxide, dioxin furans; and then
3 three of the volatile metals, cadmium, lead, mercury. And
4 they're below -- the test results are below all the limits
5 shown for the EPA starved air combustors, the permit
6 limits for the district municipal solid waste
7 incinerators, and then the German limits.

8 --o0o--

9 MR. WELCH: And here it is in graphical form.
10 You can see the first item there is the NOx emissions,
11 which is a traditional emission from combustion processes.
12 And according to the company, they're currently installing
13 a NOx pollution control device. And we'll be re-testing
14 for that. The other components, at least compared to
15 those other limits, appear to be well below the limits.

16 --o0o--

17 MR. WELCH: They also did a feedstock and residue
18 analysis. And this is going to be a challenge for all
19 thermal conversion processes, is how to obtain a
20 representative feedstock. Due to the herterogenous nature
21 of solid waste, basically the best you can do is get a
22 snapshot of what a detailed chemical characterization is.
23 The waste stream, of course, changes day to day and city
24 to city. So while these analyses are not representative
25 of the overall bulk stream, we're able to get some general

1 trends from the results.

2 One element we noticed in the process, the char,
3 basically a black solid residue that is mixed in with
4 glass and metals, and they've been able to successfully
5 separate the glass and metals from the char, as opposed to
6 separating it from the feedstock. It turned out there was
7 something like 60 percent by weight of the char was glass.
8 So it's an opportunity to do some post-process recycling
9 that did not occur in the material recovery facility.

10 Also we found the volatile metals, meaning the
11 metals that tend to get in the air stream, are found in
12 higher concentrations in the bag house residue where we'd
13 expect it, rather than the char. The heavier metals
14 concentrate in the char. The lighter metals condense out
15 and are removed by the bag house filter.

16 There were very low levels of toxic organic
17 compounds found in the residues. And then there's a
18 significant heating value remaining in the char. The next
19 slide I'll show you the heating values.

20 The future work we've been in discussions with
21 IES as well as the Board, we need a pretty detailed
22 characterization, in particular, the dioxins and furans in
23 the chars and residues. Because while those aren't air
24 emissions, they do pose a solid waste disposal issue. A
25 strategy for extracting the additional energy from the

1 char, there may be an opportunity to gather even more
2 energy content from the char before disposal. And then a
3 strategy for stabilizing the char and ash residues before
4 they're ultimately disposed.

5 --o0o--

6 MR. WELCH: I'll quickly go through these charts,
7 the basic elemental analysis for the feedstocks, the char,
8 and the residue. You can see most of the numbers are
9 higher for the char and residue as we're reducing the
10 volume by 90 percent. So in the feedstock, for every 100
11 tons of feedstock that are run through, ultimately you get
12 about 10 tons of char and ash. So, of course, any heavy
13 metals or inorganic elements that are present in the
14 feedstock are concentrated in the char and ash residue.

15 --o0o--

16 MR. WELCH: And then, finally, here's what I
17 mentioned about the heating value. The sample that we're
18 looking at here, the heating value of the incoming
19 feedstock was about 2,600 BTU per pound. The char still
20 contained a 1,070 BTU per pound. There's an opportunity
21 perhaps to gather even more energy out of that. And then
22 the other components are the toxic organic compounds,
23 which were of -- found at pretty low levels in the char
24 and residue.

25 And with that, I'd be happy to answer any

1 questions or --

2 CHAIRPERSON MARIN: Why didn't they have the
3 ability to control or -- on the NOx --

4 MR. WELCH: I want to point out even though the
5 NOx levels were above the existing operational limits,
6 they still met the research permit limits. And I'm not
7 sure if they were aware going into their design of their
8 process that NOx would be an issue. However, there's
9 relatively easy fixes for at least that pollutant. And
10 they have proceeded with a redesign of their air pollution
11 control commitment and do plan additional tests to show
12 NOx compliance.

13 CHAIRPERSON MARIN: So it is your estimation that
14 if they were to do this, the NOx emissions will be
15 dramatically reduced?

16 MR. WELCH: Correct. Yeah. We have experienced
17 testing the types of systems they use, selective catalytic
18 reduction or selective non-catalytic reduction.

19 CHAIRPERSON MARIN: So it shouldn't be an issue?

20 MR. WELCH: That particular component should not
21 be an issue.

22 CHAIRPERSON MARIN: All right. Okay.

23 Any questions for Mr. Welch? We demoted you now.

24 BOARD MEMBER PEACE: I think you said the NOx and
25 the furans are in the char and you have to find a way to

1 stabilize it before it's landfilled?

2 MR. WELCH: Well, you know, dioxins and furans
3 pose a challenge, not only from an air emissions
4 standpoint, but of course, you know, the health risk
5 assessments for land or water -- land or water disposal of
6 dioxins and furans. It's just something they have to
7 characterize and make sure that it's dealt with properly.
8 If there are dioxins and furans in the char, they need to
9 be treated, you know, prior to disposal.

10 BOARD MEMBER PEACE: How would you treat it?

11 MR. WELCH: Well, with the char, there are other
12 types of processes. There's vitrification, which is
13 making of glass type material out of it. There's a
14 phosphate additives that stabilize the solid waste. You
15 can run through another type of thermal conversion to get
16 rid of the remaining organic compounds. So there are
17 strategies for dealing with that. My recommendation was
18 that they go ahead and characterize that to make sure that
19 they know what's in the char and residue.

20 BOARD MEMBER PEACE: Okay. Thank you.

21 CHAIRPERSON MARIN: Thank you, Mr. Welch.

22 I would like to call the representatives from
23 AQMD please.

24 Thank you, Mr. Welch.

25 We have two, Mohsen Nazemi, Assistant Deputy

1 Executive Officer, and Jay Chen, Senior Manager for AQMD.
2 Thank you so very kindly. We so appreciate you taking the
3 time to be here with us today. As you know, we were
4 waiting with baited breath the results of this project.
5 And first of all, you guys were part -- you were at the
6 location, somebody from the AQMD was?

7 (Thereupon an overhead presentation was
8 presented as follows.)

9 MR. NAZEMI: Let me first say good morning, Madam
10 Chair and Members of the Board. I'm Mohsen Nazemi,
11 Assistant Deputy Executive Officer. And I'm in charge of
12 Permitting and Enforcement for our agency. And Jay Chen,
13 Senior Manager of our Toxics and Waste Management Unit is
14 here also with me to answer any questions that you might
15 have.

16 What we did -- first of all, I want to just give
17 you a quick overview. In terms of our efforts in Southern
18 California, we're just like everywhere else. We're
19 running out of landfill space. So we are looking for ways
20 that the waste can be handled in a safe manner. And our
21 primary responsibility under State law and under federal
22 law is to protect the air quality in Southern California
23 and public health of 16 million residents that live in the
24 four county region. So our efforts goes towards both, to
25 handle the waste management part of the solid waste that's

1 generated in our area, but also to protect the health and
2 air quality in our region.

3 What we have done with IES is we received a
4 request to process an application for IES to do some
5 experimental work on a pyrolysis unit to be able to
6 conduct some testing and obtain data from this type of
7 process. And it's not a typical process that's been used
8 all around, and there aren't a lot of data around to rely
9 on. So what South Coast did is -- and maybe I can go to
10 the presentation.

11 --o0o--

12 MR. NAZEMI: They applied for a permit early this
13 year, and we granted a temporary research permit.
14 Typically, we issue research permits to types of projects
15 or applications that they're conducting some studies to
16 come up with information that then can be used in
17 evaluation of a permanent type permit. And we granted the
18 permit to IES. And part of the permit was we conditioned
19 the operation to make sure that there are health
20 protective standards in place while this testing is being
21 conducted. So the overall permit was granted for no more
22 than 32 tons per day of pyrolysis of waste, and it was
23 limited to 18 days of operation.

24 And as part of that permit, we required testing
25 for both criteria pollutants. Those are the typical air

1 pollutants that goes in the air and deals with regional
2 smog. We call them criteria pollutants. But we also
3 require testing for toxics. Toxics is more of a localized
4 concern that if you live near a source that emits toxics,
5 then obviously that localized area gets more impacted by
6 toxics.

7 The testing was conducted in the middle of this
8 year. And, actually, the air quality testing took about
9 24 hours on multiple days to conduct. And it was done at
10 a rate of about one-and-a-quarter ton per hour of waste
11 being run through the unit.

12 The results of the tests were submitted to us
13 just last month, so we are presently reviewing those test
14 data. And our review is not complete, so I can't tell you
15 what the final outcome of the testing is. But I'll be
16 happy to share with you some preliminary data, and I'll
17 caveat that it is preliminary.

18 --o0o--

19 MR. NAZEMI: The criteria pollutant emissions
20 that were measured from this system are listed here. And
21 the system is designed to operate with burners, natural
22 gas fired burners, that actually provides the heat for the
23 pyrolysis process. They're not direct flame. They're
24 called indirect flame. So there are two sources of
25 emissions. One is the emissions coming from the pyrolysis

1 operation, and the other one are emissions coming from
2 burning of natural gas. And the natural gas burning is
3 nothing different than a boiler or stoves at home that use
4 natural gas.

5 And the total emissions are shown here. Just
6 highlight the two pollutants that generally form in the
7 atmosphere and result in formation of smog are nitrogen
8 oxides, and ROG, stands for reactive organic gasses. When
9 these pollutants get in the air and in the presence of
10 sunlight, they form what we call ground level ozone.
11 That's ordinary smog.

12 We also have concerns with PM10. PM10 are
13 particulate matter less than ten microns in size, and
14 those are the type of particulates that you can't actually
15 see with the naked eye. When you inhale, it goes inside
16 of your deep lung and they don't actually come out. So we
17 are concerned with issues related to that.

18 --o0o--

19 MR. NAZEMI: Also, there is also testing done on
20 toxic air contaminants. And toxic compounds typically
21 consist of organics, which are dioxins, furans benzene.
22 And there's also what we call heavy metals. These are
23 types of material that exist in the waste. But as a
24 result of heat, they vaporize and are emitted into the
25 atmosphere in the form of very small particles. And those

75

1 are the kind of particles such as arsenic, nickle, cadmium
2 and mercury.

3 The result of the toxics analysis then is
4 taken -- because, as you heard from Mr. Welch earlier,
5 they're typically -- we don't have ambient air quality
6 standards for toxics. The way our agency regulates toxics
7 and many other agencies do around the nation is to look at
8 the health risk associated with toxics emissions. And the
9 health risk analysis is a mathematical way of taking an
10 actual test data that comes out of this stack and modeling
11 that test -- that emissions to see what level of emissions
12 will be at ground level that people will be exposed to,
13 and then using scientific and toxicological data that's
14 available to estimate what the risk levels are for both
15 cancer causing and non-cancer causing agents that are
16 present in any type of operation. And then compare those
17 to what each agency typically considers what's an
18 acceptable level of risk.

19 So what we did is for this we have just done a
20 very preliminary analysis of the risk information for this
21 project, and the numbers are shown here as both for cancer
22 and non-cancer health effects.

23 To put this a little bit more into perspective --
24 --o0o--

25 MR. NAZEMI: -- we wanted to also compare this to

1 some of the data that was mentioned earlier with respect
2 to waste-to-energy facilities. As you may know, in
3 Southern California, the South Coast in particular, we
4 have two waste-to-energy facilities, one in the city of
5 Commerce and one in the city of Long Beach. That's also
6 known as SRF project.

7 We took data from the preliminary tests that IES
8 conducted, and also every year the two facilities
9 performed source test and measure their emissions. I
10 tried to put them into an apples to apples type comparison
11 to by compare pounds of emissions per ton of waste that is
12 proposed in each one of these types of facilities. As you
13 can see, you heard about NOx emissions that were higher
14 than I think we would typically consider as best available
15 control technology. And I understand the project
16 proponent is looking into other controls such as ammonia
17 or injection into the system to reduce NOx.

18 And the other pollutant that, again, we have
19 concerns both with respect to ordinary smog and with
20 respect to toxics is ROG, reactive organic gasses. That
21 was also higher, and that could be addressed through
22 better oxidation of the exhaust through thermal oxidizer
23 or better combustion of the material. We also looked at
24 the dioxins, furans, and other pollutants that I mentioned
25 earlier. And actually --

1 --o0o--

2 MR. NAZEMI: -- better to do it graphically than
3 looking at tables. As you can see, there are some higher
4 NOx and ROG levels compared to commerce and SRF. And as
5 we finalize our analysis of the testing, we'll know
6 exactly where they are.

7 But with respect to the other toxic pollutants,
8 actually the heavy metals are mainly present in the waste
9 as it comes into the facility. So as the combustion
10 process or pyrolysis, any type of process that, goes on,
11 depending on how much of those materials exist in the
12 waste, then you will expect to see that come out of the
13 stack. But there are also control technologies, such as
14 dry scrubber, bag house type technology that can actually
15 reduce the amount that is going into the air as well. For
16 most of the pollutants, the pyrolysis process showed lower
17 heavy metals such as arsenic, cadmium, lead, nickle,
18 mercury, dioxin, furan numbers. The total dioxin, furan
19 numbers were higher.

20 But, again, as part of the analysis, what we need
21 to do -- and the company who wants to do additional
22 testing actually for NOx and others -- we need to look at
23 the toxicity of dioxins and furans and do a health risk
24 analysis to be able to better identify what the overall
25 risk numbers are going to be.

1 And that pretty much concludes my presentation.
2 Both myself and Jay would be happy to answer any questions
3 you have.

4 CHAIRPERSON MARIN: Okay. We do have one
5 question -- only one from Ms. Peace.

6 BOARD MEMBER PEACE: I was just wondering,
7 chromium wasn't tested?

8 MR. NAZEMI: Yes. Total chromium was tested. It
9 was not presented here.

10 But do you happen to know the results?

11 MR. CHEN: I have the information here.

12 MR. NAZEMI: Chromium, as you know, is one of the
13 compounds that our agency in particular and also State Air
14 Resources Board and others are very concerned with,
15 because of chrome six being a carcinogen that's typically
16 emitted from electro plating operations. And so there are
17 significant concerns with those types of processes and
18 controls that are used to reduce the chromium emissions.

19 BOARD MEMBER PEACE: That's why I was wondering
20 why it wasn't on the chart.

21 MR. NAZEMI: There are very low numbers. But if
22 you like, the average is around .0004. And these are in
23 limits of microgram per cubic meter -- milligrams, I'm
24 sorry. So they were not on the table, but they were
25 tested.

1 CHAIRPERSON MARIN: Any further questions?

2 I was just joking when I said only one from you.

3 Ms. Peace.

4 BOARD MEMBER PEACE: You were saying the NOx were
5 way up, but you feel that that can be corrected or brought
6 down with some control measures. How about the other
7 things, like the dioxins and the PM10? Can those be, you
8 feel, brought down or put into a better range with some
9 pollution control measures? Do we have pollution control
10 measures for those things?

11 MR. NAZEMI: We believe there are control
12 technologies out there that can actually control both
13 dioxin and furans and PM10. As I mentioned earlier, when
14 we analyze projects for permitting, we look at it from two
15 standpoints. We look at it from criteria pollutants
16 standpoint. And for those projects, we look at whether or
17 not they are utilizing best available control technology.
18 For PM10, for example, best available control technology
19 again is a more robust type of a bag house where maybe
20 utilizing some type of a more efficient type of a filter
21 bag that can remove PM10 materials to lower levels.

22 For NOx, again, I mentioned ammonia or urea
23 injection, which is a non-catalytic type of an operation
24 typically is used. The catalyst can also be used, but
25 there's concerns with poisoning whenever you deal with a

1 waste stream that consists of a lot of different things,
2 such as municipal solid waste. But a catalyst control
3 technology for NOx is typically used for power plants or
4 heaters and boilers where it's burning natural gas, and
5 it's a cleaner fuel that does not poison the catalyst when
6 you remove the NOx, oxidizing NOx.

7 CHAIRPERSON MARIN: Thank you, Mr. Nazemi.

8 We have Ms. Mulé.

9 BOARD MEMBER MULÉ: Thank you, Madam Chair.

10 First of all, I want to thank both you,
11 Mr. Nazemi, and Mr. Chen for being here. We've really
12 appreciated your expertise and your analysis with this
13 data. And we look forward to working with you on this
14 project as well as many other projects down in the South
15 Coast.

16 My question is regarding the criteria pollutant
17 emissions. You had a chart up that showed the IES
18 emissions and then a waste-to-energy facility emissions.
19 And I was just wondering, though, because it wasn't real
20 clear to me, though, I'm assuming those emissions fall
21 within the AQMD's acceptable levels or limits. Is that a
22 correct assumption?

23 MR. NAZEMI: Let me maybe explain it a little
24 differently. For granting a permanent permit to any type
25 of operation, what we need to assure is that the process

1 is using best available control technology. In those
2 charts, I was comparing results from a couple of the
3 waste-to-energy plants to IES Romoland project. But in
4 order to grant a permit for permanent operation to this
5 type of facility, we need to ensure they use the best
6 available control technology. And since at this point
7 they were not using that for NOx, I think the project
8 proponent is looking into investigating and utilizing
9 better technologies for NOx to meet our standard.

10 The reason we wanted to get this permit issued
11 and get some test data is to actually find out what NOx
12 levels do we see, what type of toxic emissions do we see.
13 And then based on the results of those testings, we can
14 better analyze whether they can meet it. But I think with
15 the effort they're putting into it, they could reach the
16 standards to meet that.

17 BOARD MEMBER MULÉ: So really the purpose -- a
18 part of the purpose of this exercise was to get some
19 baseline data in order then to determine what the best
20 available control technologies might be and then apply
21 those.

22 MR. NAZEMI: It was to allow them to get some
23 baseline data and to be able to see the levels of
24 emissions to see if they are below or above what best
25 available control technologies levels are.

1 BOARD MEMBER MULÉ: Thank you very much.

2 CHAIRPERSON MARIN: Just to follow up. Why
3 wouldn't you have required them to have -- even for this
4 testing, why wouldn't you have required them within your
5 protocols ordered them to have a control bag or whatever
6 it is that you require? Why wasn't that a requirement?

7 MR. NAZEMI: Well, the system that was tested and
8 proposed to us does have an air pollution control system
9 on it. It is not without any kind of control. But
10 because, again, pyrolysis is a new process, there isn't a
11 lot of data available out there. And, obviously, we did
12 not want to set up any kind of a hurdle for these
13 technologies or these types of technologies to be
14 developed to be a solution to the waste problem. We
15 wanted to see what the emission levels are from this type
16 of process to see if inherently there is low NOx levels so
17 they don't need to add any more controls. But I think
18 what we are pretty much saying is that the levels of
19 emissions may be high, but there are ways to reduce that
20 to levels to meet our standards.

21 MR. CHEN: Just quickly to add one thing. There
22 are low NOx burners that's used for the natural gas
23 burning that would heat up the pyrolysis does meet the
24 BACT standards.

25 CHAIRPERSON MARIN: Thank you, Mr. Chen.

1 MR. CHEN: Emissions from that are relatively
2 small. Actually, that's why it is very small.

3 CHAIRPERSON MARIN: Okay. Well, I wanted to make
4 sure that if they were supposed to do something and they
5 didn't do it, that's not the case. They followed your
6 request for your protocols; right?

7 MR. NAZEMI: For this permit, yes.

8 CHAIRPERSON MARIN: For this particular portion
9 of the permit process?

10 MR. NAZEMI: They followed what we asked them to
11 do.

12 CHAIRPERSON MARIN: Okay. Great. When will we
13 anticipate getting your final, final, final review?
14 We're not going to hold you to tomorrow.

15 MR. NAZEMI: At this point what we're doing is
16 just reviewing the test report and making sure that
17 they've followed the correct procedures, protocols, and
18 that the test data is valid. And I think that part of it
19 can be done in a few weeks. We should be able to have
20 that data next month. But I understand that the company's
21 seeking a follow-up permit, and we need to do more
22 analysis if we are to issue another permit on the risk and
23 all that. And that I'm not sure when that will be done.

24 CHAIRPERSON MARIN: Okay. So now going back to
25 my question very, very first initial question, when all of

1 this testing was done, there was somebody, some
2 representatives from your Board at the facility while the
3 testing was being conducted?

4 MR. NAZEMI: Let me ask Jay if he knows whether
5 we were observing the source test or not. Typically, what
6 we do is require an independent third party to do the
7 testing, not the company themselves. And that third party
8 has to follow our test procedures. But let me ask if
9 anybody was there during the test.

10 MR. CHEN: Yes, indeed. In this case, we sent a
11 couple of engineers on site observing the test.

12 CHAIRPERSON MARIN: Okay. My reason is because
13 you guys are the air police. And I just want to make sure
14 there would be no question as to the legitimacy of the
15 testing. And by at least somebody from your organization,
16 by their presence there, I want to make sure there are no
17 questions, that everything was done, you know, according
18 to your protocols, according to the way you best do your
19 job. And so I'm comforted in knowing that is the case.

20 MR. NAZEMI: I think we can fully answer that
21 next month after we've completed a review of the testing.

22 CHAIRPERSON MARIN: We thank you very, very much.
23 We appreciate your partnering with us in this journey to
24 new frontiers. We really appreciate that.

25 Somebody is standing up out there wants to say

1 something. Would you please come forward.

2 MR. NAZEMI: Thank you very much.

3 CHAIRPERSON MARIN: Thank you both, Mr. Chen and
4 Mr. Nazemi.

5 MR. PICKET: Madam Chair, David Picket. I
6 represent IES. And I just thought I might offer a couple
7 of comments and maybe some clarification --

8 CHAIRPERSON MARIN: Why don't you go ahead.

9 MR. PICKET: -- on where we are.

10 First of all, I stood before you here maybe
11 several months ago and said that when we had results, we
12 would make those results available. And we're doing that.
13 Unfortunately, it is also a little bit like manufacturing
14 sausage out public. You're not supposed to see things
15 like this usually.

16 But we're very pleased with the cooperation we've
17 got from AQMD. We know the results are preliminary, and
18 they know we are in an R&D mode. So some of the things
19 that have been done perhaps they're not capitalized the
20 way a Fortune 50 company would have done them, but we've
21 had to do them on a more commercial basis.

22 For instance, the question of NOx, our
23 calculations showed we could run the tests required over
24 the periods required and still stay within AQMD limits.
25 And since we thought we could do that, and the NOx control

1 is a fairly expensive process, we elected to go forward
2 with the tests for up to ten hours a day, knowing the
3 cumulative amount would not violate the regulations. And
4 that's what we did, and that's why the NOx shows so high.

5 And as Mr. Welch has pointed out, we're in the
6 process. And it's pretty much known technology that we
7 can reduce that to very acceptable levels. And as we move
8 forward, the first part of our testing is we wanted to
9 make sure our pyrolysis system worked. And nobody had
10 really gotten into the continuous system of pyrolysis, and
11 that was one of the main things we wanted to do. We knew
12 there was going to be some emissions. We also knew that
13 the emissions would require control, and control was going
14 to be expensive. So we've done it in two stages. Now
15 we're moving into that emissions part.

16 So, for instance, on the NOx, we're going to be
17 installing NOx control. With respect to the PM10 that was
18 mentioned, the particulate, we are now having manufactured
19 the upgraded bags so they will have a reduction in the
20 PM10. With respect to dioxin and furans, which everybody
21 is always very interested in, the number that was
22 reflected is the number that was in the tests. I would
23 simply point out again the sort of making sausage in the
24 open, that when we put in a carbon urea injection system
25 on the bag house to cut down on the dioxins and furans,

1 the first run we did was with a coarser grain of carbon.
2 The result of that particular run was about three times
3 what we got in the next two runs, which we used a finer
4 grain of carbon. So as we go along, there's this overall
5 improvement and refinement in the way we're handling
6 emissions. And we're very confident we're going to be
7 able to meet it with best available control technologies.

8 What we are planning to do next, and we do have
9 the request before AQMD, is to go into a 14-day
10 reliability run. We'd like to run 24 hours a day for
11 14 days. That's obviously for our own commercial
12 purposes. But during that period of time, we know we'll
13 be doing some additional testing. And there will be some
14 additional control technology that will be applied to the
15 system.

16 When those are through, they will be obviously
17 submitted to AQMD. We haven't really started any
18 discussions with AQMD as to how the various results are
19 interpreted, and there are nuances in anything as
20 sophisticated as this.

21 But I did want to say that we're still very
22 confident. We're moving forward. And we appreciate the
23 cooperation we're getting from this Board. We appreciate
24 the interest of Mr. Welch. It's very, very helpful. And
25 we appreciate the involvement of AQMD, however

1 excruciating it may be. So --

2 CHAIRPERSON MARIN: Thank you so very much for
3 coming forward. And I'd just like to tell you that we
4 really appreciate, all of us, you know, we're pioneers in
5 this territory. There are going to be some hiccups. And
6 while we may not like the sight of sausage being made in
7 public, at the end of the day, it will be very delicious
8 and we'll all eat it.

9 MR. PICKET: That's what we're hoping.

10 CHAIRPERSON MARIN: Thank you so very much for
11 coming.

12 Again, thank you to the AQMD and Mr. Welch for
13 being our partners in this wonderful discovery mission.

14 Okay. Is that it, Mr. Berton?

15 Okay. Ms. Wohl.

16 DEPUTY DIRECTOR WOHL: Yes. Our next item is
17 Agenda Item 36, which was on fiscal consent. It's
18 Consideration of Recycling Market Development Revolving
19 Loan Program, application for U.S. Rubber Manufacturing,
20 inc. U.S. Rubber is requesting \$2 million in loan to
21 finance the purchase of real property, real estate
22 improvements, machinery, and equipment and some working
23 capital for relocating.

24 CHAIRPERSON MARIN: This was on fiscal consent.
25 I actually told the gentleman that he didn't have to come

1 here, because most likely the Board would concur with the
2 motion. So is there a motion?

3 BOARD MEMBER WASHINGTON: Madam Chair, I'd like
4 to move adoption of Resolution 2005-268.

5 BOARD MEMBER PEACE: Second.

6 CHAIRPERSON MARIN: Moved by Mr. Washington,
7 seconded by Ms. Peace.

8 Call the roll, please.

9 EXECUTIVE ASSISTANT BAKULICH: Mulé?

10 BOARD MEMBER MULÉ: Aye.

11 EXECUTIVE ASSISTANT BAKULICH: Peace?

12 BOARD MEMBER PEACE: Aye.

13 EXECUTIVE ASSISTANT BAKULICH: Washington?

14 BOARD MEMBER WASHINGTON: Aye.

15 EXECUTIVE ASSISTANT BAKULICH: Marin?

16 CHAIRPERSON MARIN: Aye.

17 Okay. Item 37.

18 DEPUTY DIRECTOR WOHL: Item 37 was also on fiscal
19 consent, Consideration of the Recycling Market Development
20 Revolving Loan Program Application for Grover Landscape
21 Services, Inc. They're also requesting \$2 million for
22 real estate improvements and machinery and equipment.
23 Staff recommends that the Board approve Option 1 and adopt
24 Resolution 2005-269.

25 CHAIRPERSON MARIN: Is there a motion?

1 BOARD MEMBER WASHINGTON: Madam Chair, I'd like
2 to move adoption of Resolution 2005-269.

3 BOARD MEMBER MULÉ: Second.

4 CHAIRPERSON MARIN: Moved by Mr. Washington,
5 seconded by Ms. Mulé.

6 Call the roll, please.

7 EXECUTIVE ASSISTANT BAKULICH: Mulé?

8 BOARD MEMBER MULÉ: Aye.

9 EXECUTIVE ASSISTANT BAKULICH: Peace?

10 BOARD MEMBER PEACE: Aye.

11 EXECUTIVE ASSISTANT BAKULICH: Washington?

12 BOARD MEMBER WASHINGTON: Aye.

13 EXECUTIVE ASSISTANT BAKULICH: Marin?

14 CHAIRPERSON MARIN: Aye.

15 Okay. Let me take a moment here. It's going to
16 be -- does anybody need a break? Anybody? No pregnant
17 ladies today needing breaks. Okay.

18 Pat, you cannot have a break.

19 Then let's go ahead with Item Number 40. I'm
20 trying to see whether we will cover all of this before
21 lunch. And I don't know that we're going to be able to do
22 that, but we'll try.

23 Move forward, Patty.

24 DEPUTY DIRECTOR WOHL: Agenda Item 40 is an Oral
25 Presentation, Update on CIWMB Activities Related to

1 Implementing the Governor's Executive Order S-3-05 on
2 Climate Change. Judy Friedman will present.

3 CHAIRPERSON MARIN: Judy has been our fearless
4 leader in all of the presentations that have been done
5 with CalEPA and all of our partners in this effort.

6 EXECUTIVE DIRECTOR LEARY: Madam Chair, if I
7 might, I just wanted to make a few introductory comments.
8 And I apologize to Patty for not introducing this idea
9 before she had a chance to introduce Judy.

10 In any respect, Madam Chair, as you know, you, of
11 course, are a member of the Climate Action Team. And on
12 occasion I've had an opportunity to represent you and
13 participate in these climate action discussions.

14 It is in my mind as important as the work we are
15 doing. And in some respects, it provides a unifying
16 concept for what we're doing in regards to all of CalEPA
17 and beyond CalEPA in terms of affecting the environment of
18 the state of California for the future. And although
19 we're struggling because we're somewhat in our infancy in
20 understanding this issue and how we may contribute, I'd
21 like to complement Judy and those who of the staff who are
22 assisting her and leading the way in this regard. And I
23 ask you to just -- as difficult as some of this is to
24 grasp sometimes, we're all struggling with it. I'd ask
25 you to focus and continue to consider our priorities in

1 relationship to the contribution they can make to climate
2 change, because I think it's as important to work as we're
3 doing in the overall grandest of scales. Anyway, thank
4 you.

5 CHAIRPERSON MARIN: Thank you, Mr. Leary.

6 Ms. Friedman.

7 (Thereupon an overhead presentation was
8 presented as follows.)

9 BRANCH MANAGER FRIEDMAN: Thank you. Thank you
10 for that introduction, Mark. And good morning, Chair
11 Marin and Board members. For the record, I'm Judy
12 Friedman, Manager of the Board's Organics and Resource
13 Efficiency Branch and point person for climate change
14 issues at the Board.

15 You may recall at July's Board meeting that
16 Eileene Tutt, special adviser to the Secretary for CalEPA,
17 provided a general overview of global warming and climate
18 change issues. Today, I'm going to provide an overview of
19 the activities of the Climate Action Team -- and as Mark
20 mentioned, our Chair sits on that team -- and what our
21 part is in this Governor's initiative.

22 --o0o--

23 BRANCH MANAGER FRIEDMAN: You've seen this
24 previously, including an article in the Bee this weekend,
25 but I think it's worth repeating. The Governor has stated

1 that the debate is over. We know the science. We see the
2 threat. And we know the time for action is now. And so
3 the Governor signed an Executive Order S-3-05, which was
4 issued on June 1st of this year. And I think it's
5 important to remember that California is the ninth largest
6 of the world's greenhouse gas emitters. So our
7 contribution will be significant, not only to California,
8 but to the world.

9 --o0o--

10 BRANCH MANAGER FRIEDMAN: So the Executive Order
11 established statewide greenhouse gas targets by 2010 to
12 reduce to 2000 emission levels; by 2020 reduce to 1990
13 emission levels; and by 2050 reduce to 80 percent below
14 1990 levels.

15 It should be noted that the Governor's Executive
16 Order envisions growing the economy while reducing
17 emissions. Examples include \$5 billion in consumer
18 savings annually by 2020 and 53,000 more jobs just from
19 California vehicle regulations work. Investment in
20 greenhouse gas technology has a world market potential of
21 \$180 billion annually.

22 --o0o--

23 BRANCH MANAGER FRIEDMAN: Some other directives
24 in the Executive Order is that CalEPA is to lead a
25 coordinated effort, including conducting scenario analysis

1 to evaluate impacts on public health, water quality and
2 supply, agriculture, forest, coast line, and also looking
3 at adaptation planning. How will we be able to react to
4 these changes in the environment?

5 --o0o--

6 BRANCH MANAGER FRIEDMAN: So this coordinated
7 effort is really under the osmosis of the Climate Action
8 Team. The CalePA Secretary chairs the team. And members
9 include the Air Resources Board, Business Transportation
10 and Housing, California Department of Food and Ag, of
11 course, ourselves, the California Energy Commission, the
12 California Public Utilities Commission, and Resources
13 Agency.

14 The Climate Action Team will evaluate and
15 recommend strategies to meet targets, report on scenario
16 analysis, including cap and trade options in the January
17 report, and also in the report to the Governor and
18 Legislature starting this January and biannually
19 thereafter.

20 For the report in January, it will include what
21 will be done to achieve the greenhouse gas reductions.
22 And the biannual reporting will include information on
23 measured progress. So we will continue to need to see how
24 we're doing in a measured way in this area.

25 --o0o--

1 BRANCH MANAGER FRIEDMAN: There's also some other
2 work that's going on under the sub-groups of the Climate
3 Action Team. Although we are not participating on these
4 sub-groups, we certainly are part of the overall effort.
5 And I thought it would be interesting to know what other
6 sub-groups are doing.

7 There's a Cap And Trade SubGroup. And cap and
8 trade means looking at capping industrial sectors at
9 certain emission levels and then allowing trading of
10 excess emission allowances as if under the cap. The Cap
11 and Trade Sub-Group is analyzing options including the
12 pros and cons of various strategies under cap and trades,
13 such as investor-only, utility-only, power sector, multi
14 sector, it goes on, looking at the pros and cons of the
15 various options. And part of that will be in the report
16 to the Legislature and the Governor.

17 The Scenario Analysis Sub-Group is looking at
18 specific impacts to California from climate change. For
19 example how will rising sea levels, which is projected to
20 be three to five inches by 2050, effect California? What
21 will be the impact to our levee system? Obviously, levees
22 are in the news a lot lately, so something to think about.
23 What public health impacts are expected, the effect on
24 water supply, et cetera. And also what are adaptation
25 strategies that can be implemented to meet these

1 challenges? That's some of the other work that's going on
2 under the Climate Action Team.

3 --o0o--

4 BRANCH MANAGER FRIEDMAN: The Climate Action Team
5 is looking at strategies to achieve greenhouse gas
6 reduction. And Table 1 here shows the list of strategies
7 and identified the lead agencies responsible for
8 implementing these strategies. And this table shows
9 strategies already underway. And as you can see,
10 highlighted in yellow Under Integrated Waste Management
11 Board is the first of three strategies that have been
12 assigned to the Board by the Climate Action Team for
13 implementation. And this is achieving 50 percent
14 statewide recycling goal. We are expected to achieve a
15 reduction of three million metric tons CO2 equivalent
16 reduction in greenhouse gasses by 2010 from successfully
17 achieving diversion of 50 percent. I should note there is
18 a correlation between recycling and waste reduction and
19 greenhouse gas reduction, and I'll speak about that in a
20 minute.

21 --o0o--

22 BRANCH MANAGER FRIEDMAN: Table 2 lists potential
23 climate change emission reduction strategies that are
24 considered attractive and are also being evaluated by the
25 Climate Action Team. The strategies listed in Table 2 are

1 not yet fully underway, although many have been
2 implemented to some degree, for example, landfill methane
3 capture, there is some going on in the state, obviously.
4 The Climate Action Team will be evaluating emission
5 reduction potential for each of the strategies listed. I
6 wanted to show you that this is -- we are in the middle of
7 a list of lots of different strategies. In fact, this is
8 only a partial representation of the table. This table
9 actually goes on with many other agencies and strategies
10 that are being evaluated.

11 --o0o--

12 BRANCH MANAGER FRIEDMAN: So excerpted from that
13 previous table is our two strategies that we will be
14 evaluating -- or we are evaluating, and that is landfill
15 methane capture, and what is known as zero waste high
16 recycling strategy.

17 --o0o--

18 BRANCH MANAGER FRIEDMAN: So taken overall, we
19 have been assigned the responsibility by the Climate
20 Action Team for three strategies. Those are the achieving
21 50 percent statewide recycling, the landfill methane
22 capture, and the zero waste high recycling.

23 As I mentioned previously, there is a correlation
24 between recycling and waste prevention and greenhouse gas
25 reduction. Recycling and waste prevention results in

1 reduction of greenhouse gasses because it avoids material
2 extraction and production processes that are energy
3 intensive and high in greenhouse gas emissions. It also
4 reduces methane production at landfills because those
5 materials aren't going to the landfill.

6 Methane emissions from landfills is a large
7 source of greenhouse gas emissions in California. By
8 California Energy Commission estimates, landfills
9 contribute approximately 4 percent of net greenhouse gas
10 emissions in California. And moving beyond 50 percent
11 towards zero waste should produce even more reductions in
12 greenhouse gasses the more we divert from the landfill.

13 Again, taken all together, the Board is
14 responsible for implementing three strategies. I do want
15 to mention that the landfill methane capture is a joint
16 responsibility between our Board and the CEC, though we
17 have been assigned the lead on that.

18 --o0o--

19 BRANCH MANAGER FRIEDMAN: So looking at the first
20 of the three strategies, achieving 50 percent statewide
21 recycling, obviously the strategy is well underway,
22 requires us to achieve 50 percent. And currently we're at
23 48 percent on a statewide basis.

24 So what are the kinds of things we're going to
25 need to do to achieve this strategy? Obviously, focus on

1 big ticket items that can get us high diversion results,
2 for example: Priority materials that are also the focus
3 of the market assessment and green procurement action
4 plans. Understanding material flows and increasing the
5 markets for the materials that are collected from the
6 waste stream is paramount. Since commercial waste
7 accounts for approximately 60 percent of the waste stream
8 in addition to focusing on priority material types such as
9 organics and C&D, we will need to continue to focus on
10 business waste diversion programs.

11 Clearly, we won't be at 50 percent on a statewide
12 bases if jurisdictions don't meet 50 percent, so we will
13 need to continue with our compliance efforts. We will
14 also need to continue our outreach programs as well.

15 A cost benefit analysis and tracking and
16 measuring the reduction is required as a component of the
17 reports to the Governor. And so we will need to perform
18 these functions as well.

19 BRANCH MANAGER FRIEDMAN: For the second of the
20 three strategies, landfill methane capture, we will be
21 working with the California Energy Commission on the
22 strategy. In fact, Mark mentioned to you last month that
23 we are jointly working on a proposed study to improve the
24 estimation of greenhouse gas emissions from landfills with
25 the CEC. And that work is getting underway. We are

1 currently working with them on figuring out the right
2 consultant to help us with the job.

3 Improved inventory and methods are essential, as
4 collection is a function of amount of waste in place, the
5 efficiency of the collection system, and the system
6 viability of methane capture. Part of the work of the
7 technology assessment work plan relates to this as well.
8 And you'll hear more about that next item.

9 We expect to work with the CEC, the ARB, local
10 air districts, the Public Utilities Commission, and
11 participate on the CEC Landfill Gas-To-Energy Task Force
12 if it's reconvened. We also think it's important to have
13 a panel of technical experts to work with us on these
14 issues. And, again, we will have to measure greenhouse
15 gas reductions as related to the strategy.

16 --o0o--

17 BRANCH MANAGER FRIEDMAN: The third strategy,
18 zero waste, high recycling. This strategy envisions going
19 beyond 50 percent towards zero waste, and these are the
20 kinds of activities we will need to engage in to increase
21 diversion beyond 50 percent.

22 Obviously, we will need to maintain compliance
23 with 50 percent. We must not lose the ground we have
24 already gained. As we progress with our market assessment
25 and green procurement action plans or their successors in

1 future years, we will continue to need to focus on
2 priority materials and targets for maximum diversion.

3 The low hanging fruit has presumably been picked
4 with respect to diversion programs, and we will want to
5 investigate incentives for achieving zero waste. We will
6 be looking at new technologies consistent with the work we
7 are doing with the action plans and figuring out the best
8 path as well as the best means to calculate benefits will
9 involve research, life cycle, and cost benefit analysis.
10 Again, as always, we will need to measure our progress in
11 achieving the results.

12 --o0o--

13 BRANCH MANAGER FRIEDMAN: So some next steps, the
14 Climate Action Team is going to continue to evaluate
15 potential strategies and implementation options, continue
16 to have open public process. A draft report is expected
17 to be released early December, and that is the draft
18 report to the Governor. And a final Climate Action Team
19 public meeting is projected for December 13th at this
20 point. And then that should allow time to get the report
21 to the Governor by January 2006. You can see it's a very
22 ambitious schedule we're working under.

23 In closing, we expect to continue the dialogue
24 with interested groups on implementation options for three
25 assigned strategies. We have already received input from

1 CAW and others, and we appreciate the interest and the
2 ideas. Obviously, we are in this for the long hall. I
3 mean, we have targets that take us to 2050, and are
4 committed to achieving the Governor's directive in a
5 reasonable and feasible way, and we all need to work
6 together to achieve this.

7 --o0o--

8 BRANCH MANAGER FRIEDMAN: This concludes my
9 presentation, and I will be happy to answer any questions
10 that you may have.

11 CHAIRPERSON MARIN: Thank you, Judy. That was a
12 really good up to date of where we are and what we're
13 doing as a Board.

14 I want you to know that when the Governor issued
15 this challenge to California, that the Secretary would
16 consider the work that we do so important, that our
17 participation is really, really valued, we have something
18 to do. When you realize we can actually contribute to
19 reducing the greenhouse gas emissions, you know, this is a
20 job of paramount importance. And, collectively, I think
21 we're going to be able to do that with our stakeholders
22 with everybody that works with us.

23 So I'm really encouraged. I know it's a lot of
24 work, and we've had a lot of people invest an incredible
25 amount of time. But this is a noble cause for our benefit

1 and the future of California and our children. So I know
2 that there will be direct efforts as we move forward to be
3 able to reach this goal. So I'm really excited about the
4 opportunity that this offers, and I'm really grateful that
5 they take the job we do very seriously. Thank you, Judy,
6 for doing such a great job.

7 BRANCH MANAGER FRIEDMAN: Thank you.

8 If I may, I'd like to acknowledge your leadership
9 on this. I think it's been just inspiring. And as well,
10 I'd like to thank Mark for his support. And I also want
11 to echo his comments that we have been working with a
12 number of staff throughout the Board, Brenda Smith, Howard
13 Levenson, John Bell, Scott Walker. They've all been
14 instrumental in helping pull this together. So I wish to
15 thank them as well.

16 CHAIRPERSON MARIN: Thank you.

17 Ms. Peace.

18 BOARD MEMBER PEACE: I just want to say thank
19 you, Judy. It's interesting to look here. It says we can
20 get three million tons of emission reduction just by
21 achieving 50 percent diversion. I'm just wondering if we
22 can get to 75 percent, how great that would be to clean up
23 our --

24 CHAIRPERSON MARIN: Just remember, our goal is
25 zero waste.

1 BOARD MEMBER PEACE: When you see the Governor
2 today, maybe we can say 75 percent.

3 CHAIRPERSON MARIN: Okay.

4 BRANCH MANAGER FRIEDMAN: It is awesome. And it
5 shows that we've talked about the cross-media benefits of
6 what we do here at the Board for years, and this is a
7 really good example. It just pulls it all together
8 showing by diverting waste and, you know, some other
9 measures, that we can achieve greenhouse gas reductions,
10 which is truly fantastic.

11 CHAIRPERSON MARIN: Okay. It's noon. Do you
12 guys want to just go ahead and keep going? Keep going.
13 Okay. I have such a great Board. Let's go to Item 41.

14 EXECUTIVE DIRECTOR LEARY: Madam Chair, if you
15 might or if I could, I'd like to lead off discussion of
16 Agenda Item 41. It's Consideration of Approval of
17 Allocations for Contract Concepts from the Integrated
18 Waste Management Account, Fiscal Year 05-06, including a
19 discussion of their relationship with these concepts to
20 the Board's action plan.

21 Members, this is an attempt by our Executive
22 staff to consolidate in one place a discussion of the
23 Board's action plans and our contract concept needs in
24 implementing those action plans for this current fiscal
25 year.

1 I guess what I'd like to suggest is we'll go
2 through the action plans briefly and then discuss with you
3 our thinking and providing the contract concepts and the
4 use of this money in regards to those action plans. I ask
5 for your push-back, I suppose. This is the first time
6 we've provided you a narrative summary of our action
7 plans. We've had several conceptual discussions about the
8 action plans. I think we've got it, but I want to make
9 sure that we have by asking you to comment to your heart's
10 desire, of course, on these action plans and the
11 relationship we've tried to provide between going forward
12 with these action plans and the use of the IWMA contracts
13 and professional services money that we have available to
14 us in the item.

15 So with that brief introduction, I would like to
16 start with the Technology Assessment Action Plan and ask
17 Howard to lead us in a brief discussion of what the action
18 plan includes and the contract concepts related to it.

19 DEPUTY DIRECTOR LEVENSON: Thank you, Mark. And
20 once again, Howard Levenson. And I guess I'm first out of
21 the shoot.

22 The Board's Technology Assessment Action Plan as
23 we've articulated is designed to address future solid
24 waste technology and infrastructure needs to implement
25 Board activities related to the upcoming hydrogen highway

1 and climate change plans and to provide a better
2 technological capability for protecting health and safety
3 at solid waste facilities. The plan includes activities
4 related to conversion technologies, non-combustion
5 alternatives to landfills, as well as the use of landfill
6 gas in an environmentally sound manner and work on the
7 viability of monitoring landfill gas at landfills.

8 As I think you can see from Judy's excellent
9 presentation, there's a lot of linkages between the work
10 in the Technology Assessment Plan and the Climate Change
11 Action Plan. So we consider this as kind of a
12 complementary set of activities. The primary activities
13 that we've delineated in the plan include further
14 evaluation of the anaerobic digestion and enclosed vessel
15 technologies; certainly continued evaluation of the
16 conversion technologies; work on the use of landfill gas
17 both in hydrogen applications and more direct energy
18 generation applications; work on the viability of -- or
19 assessing the viability of landfill gas monitoring; and
20 then continued work on the bioreactor landfill
21 technologies that fall under the research development and
22 demonstration rule that was adopted by the Board just
23 recently.

24 There are three contract concepts that are
25 involved in this Technology Action Plan for your

1 consideration. Before I get into describing those three,
2 let me just note a typo on Item D3 in Attachment 3, both
3 D2 and D3, the titles read, "Conversion Technology Case
4 Studies and Emissions Testing." D2 is, indeed, that, case
5 studies and emissions testing. And D3 should be the
6 conversion technology forum. Let me briefly describe
7 those three contract concepts for you.

8 Contract Concept D1 is on landfill gas monitoring
9 and emissions assessment. This would focus on
10 technological aspects of landfill gas emissions which
11 can -- clearly, landfill gas can impact public health and
12 safety via the potential for fire and explosions. It also
13 can effect our global environment via its contribution
14 particularly of methane to greenhouse gas emissions. This
15 contract is designed to provide some critical field data
16 to address both of those issues. First to determine
17 whether current gas monitoring systems and our combined
18 Board and LEA training and enforcement efforts are
19 sufficient to protect public health and safety over the
20 long term.

21 And then, secondly, to help refine -- as Judy
22 mentioned, we're working with the Energy Commission on
23 some of the landfill gas aspects. This contract will
24 provide data to help refine the Energy Commission's models
25 of greenhouse gas emissions from landfills. And that

1 would enable us to better target where to implement
2 practices and technologies to reduce landfill gas
3 emissions.

4 This would be a competitively bid contract.
5 We're proposing \$155,000 be allocated to that.

6 Concept D2 and D3 both are related to conversion
7 technologies. D2 would be the case studies and emissions
8 testing. This contract would provide for case studies and
9 emission testing at specific facilities. And as you saw
10 with the earlier presentation, we do need some additional
11 research. The U.C. research that was conducted under the
12 Board's contract with the University of California
13 Riverside and Davis focused on identification and
14 evaluation of conversion technology types, but not on
15 emissions from specific facilities in the U.S. other than
16 what we've been able to obtain from the Romoland facility.
17 This contract would focus on acquiring additional data
18 from specific facilities that use materials after they've
19 been MRFed. It would assess facility operating parameters
20 and emission control systems and a variety of other
21 parameters.

22 As staff conceptualizes this, it would be for at
23 least two projects that would be conducted through an
24 interagency agreement with an air pollution control
25 district and in collaboration with a county or local

1 jurisdictions that are advanced in their own planning
2 processes might be able to bring these facilities on line.
3 Clearly, I think as Chair Marin demonstrated with her
4 questions with the South Coast, involving an Air Pollution
5 Control District is critical, because any emissions
6 testing has to comply with the protocols established by
7 those districts. And that would be for a total of
8 \$400,000.

9 The third contract concept in this Technology
10 Assessment Action Plan is D3, the Conversion Technology
11 Forum. This would support a venue for sharing updated
12 information on conversion technology research. Those of
13 you who remember, the first one that we had was almost
14 five years ago now, four-and-a-half years ago, it was a
15 huge success. But a lot has transpired since then, led by
16 the Board's efforts. So this 2006 forum would update
17 stakeholders on the latest technological advances,
18 emissions control data such as we've seen today, national
19 laboratory research efforts, what are local governments
20 doing. What are legislative proposals, et cetera. This
21 would require an interagency agreement so we could obtain
22 the necessary logistical support to put on a conference of
23 that magnitude. That's proposed for \$50,000.

24 So that's a short summary of the Technology
25 Assessment Action Plan and the contract concepts therein.

1 We'd be happy to answer any questions you might have.

2 CHAIRPERSON MARIN: I was just going to say I
3 think the best way to do it is each presentation -- as
4 each one of the Deputies makes a presentation, of their
5 any questions with any and all, then this would be the
6 time to do it.

7 Let me just go forward with the first one. Are
8 there any questions with the very, very first one item
9 with the California landfill gas monitoring systems'
10 viability assessments? Any questions regarding that one?
11 Is the money 155,000 -- oh, Ms. Peace.

12 BOARD MEMBER PEACE: I don't really have a
13 question. I have a comment. Where it says in here there
14 are no national standards regarding monitoring while
15 construction and maintenance, even though wells
16 deteriorate over time, often in 20 years or less, and even
17 though many landfills would continue to produce migrating
18 gas for 50 years or more, I read that, I just thought,
19 whoa. Then why do we only have 30 years post-closure
20 assurance? This sounds to me like 30 years isn't nearly
21 enough.

22 That was just my comment. I have no questions.

23 DEPUTY DIRECTOR LEVENSON: Just as an aside on
24 it, that's certainly a critical issue. In the evaluation
25 we're currently undergoing, totally aside from this on

1 post-closure maintenance and what are the potential
2 financial assurance mechanisms that might be needed after
3 30 years and what are the technical criteria that need to
4 be considered when you look at when does post-closure
5 maintenance end, if ever. So certainly this information
6 would feed into that effort as well.

7 CHAIRPERSON MARIN: I want to know, is \$155,000
8 sufficient? Not that I really want to give you any more
9 money, but --

10 DEPUTY DIRECTOR LEVENSON: I think this has a
11 couple of different parts to it. One would be the actual
12 trenching and sampling just the equipment and the analysis
13 testing equipment that we need to do the samples of wells.
14 And that's something that we don't have the equipment for,
15 but staff would be out in the field actually doing the
16 measurements. So about two-thirds of the funding would be
17 for that. And we could certainly do more sites, you know,
18 with more money. But I think this is a good start.

19 And then the other part would be to help look at
20 that information and provide data into the Energy
21 Commission's work. And Judy mentioned that we're working
22 with them. And we're hopeful that the Energy Commission
23 will be able to provide significant funding on its own
24 that we would be co-coordinating with on the estimations
25 of greenhouse gas emissions from landfills. So at this

1 point, we're viewing this more as an initial information
2 gathering to feed into the Energy Commission work. And
3 they would be able to work with us to obtain more data if
4 we need it.

5 CHAIRPERSON MARIN: As you go selecting the
6 sites, I'm sure you're going to have different categories
7 of sites.

8 DEPUTY DIRECTOR LEVENSON: We'd have to get
9 urban, rural, small, large, lined, unlined.

10 CHAIRPERSON MARIN: Okay. So that's that.

11 Any questions regarding the conversion technology
12 case study and emissions testing?

13 Ms. Peace.

14 BOARD MEMBER PEACE: I just had a question,
15 because I thought when we got our last conversion
16 technology report, it basically said we didn't have enough
17 emissions testing, because there weren't any facilities in
18 the United States to get testing from. So I was just
19 wondering where are we going to be getting -- it says
20 we're going to be doing testing at out-of-state
21 facilities. Where are they, and are they new?

22 CHAIRPERSON MARIN: Yeah. Like the anaerobic
23 digestion at U.C. Davis. That's one, right?

24 DEPUTY DIRECTOR WOHL: I think what Santa Barbara
25 is talking about is actually sending this waste out for

1 analysis, because they're talking about implementing
2 something in the future. But they want to test a couple
3 different solutions and see which is best. But Fernando
4 probably knows the specifics about who's taking which
5 waste and which companies.

6 ORGANICS MATERIALS MANAGEMENT SUPERVISOR BERTON:
7 Board Member Peace, as Patty alluded to -- this is
8 Fernando Berton -- Santa Barbara County has gone through a
9 rigorous process and has listed some technology facilities
10 that they've discovered through their process. One of
11 them is in Idaho. That's a gasification. There's the
12 ethanol production facility. It's an acid hydrolysis
13 fermentation facility in Ohio. And there's even a
14 possibility of additional testing at the BRI facility in
15 Fayetteville, Arkansas. So these are things that through
16 Santa Barbara County's process that they've discovered.

17 BOARD MEMBER PEACE: Are these brand-new
18 facilities then in Idaho and Ohio and Arkansas?

19 ORGANICS MATERIALS MANAGEMENT SUPERVISOR BERTON:
20 I think they're at a stage now that they feel they can be
21 commercialized.

22 We do have a representative from Santa Barbara
23 County who could provide some additional insight in the
24 process that they went through and the specific project,
25 if you so desire to have them speak.

1 CHAIRPERSON MARIN: Yeah, actually, Mr. Peter
2 Cantle. He is here to talk to us a little bit about this.

3 MR. CANTLE: I tend to have a pretty soft voice,
4 so I'll lean in.

5 I think this is for the designated air pollution
6 people to speak from here.

7 Good afternoon, Madam Chair and ladies and
8 gentlemen. My name is Peter Cantel. I'm here to
9 represent the Santa Barbara County Air Pollution Control
10 District. I appreciate the opportunity to testify in
11 support of your staff's proposal to fund emissions testing
12 of mixed solid waste conversion technologies.

13 In Santa Barbara County, we've undertaken a
14 process over the last four years to identify promising
15 conversion technologies and the vendors to supply those
16 technologies so we can intelligently address the
17 limitation of our county's largest landfill, the Tajiguas
18 Landfill. Our process has consumed untold hours of effort
19 from a broad range of stakeholders and has included a host
20 of elected representatives from the county and its
21 incorporated cities and technical staff, business
22 representatives, and environmental organizations and from
23 the general public.

24 After soliciting and rigorously reviewing
25 proposals for more than 20 potential vendors, a review

1 that looked closely at the limitations, the benefits, and
2 potential promise of each of those conversion processes,
3 we have identified three technologies that warrant our
4 focus for how we move forward to address our limitations
5 of our landfill. Having reached this important point in
6 our process, it's our belief that the lack of verified and
7 comprehensive emissions testing information from these
8 technologies creates a significant barrier to further
9 progress. To address this lack of information, our Air
10 District has constructed an emissions testing program
11 that, if enacted properly and with attentive oversight,
12 will allow us to characterize in scientific terms the
13 toxic and other emissions that are associated with the
14 conversion of mixed solid waste to useful products and
15 residual materials.

16 Our comprehensive program relies on accepted test
17 methods and protocols developed and approved by the
18 California Air Resources Board and the U.S. Environmental
19 Protection Agency, the same test methods that are used by
20 other Air Districts. In fact, you heard about those
21 earlier from my friend and colleague, Mohsen Nazemi.

22 It is important to emphasize that our agency is
23 and will be a neutral entity in this process. We have no
24 ax to grind as it were, approving or disproving the
25 characteristics of one or any of the conversion

1 technologies we wish to test. Implementing this testing
2 program as a neutral party allows our agency to provide
3 stringent oversight and ultimately the confidence that at
4 every step of the process the program has been enacted
5 with proper rigger and attention to detail. In this
6 manner, we believe that the emissions information derived
7 from the testing program will have the greatest possible
8 reliability and value.

9 Once it is produced, we will take the emissions
10 information gained from this testing process and using an
11 Air Resource Board approved modeling computer program
12 assess what kinds of public health impacts, if any, could
13 result from toxic pollutants as a result of the siting and
14 operation of the conversion systems that we have studied.

15 Our agency has a well established and collegial
16 relationship with the State Office of Environmental Health
17 Hazard Assessment, and we'll be pleased to collaborate
18 with OEHHA in performing this modeling effort. Further,
19 we will share the results with the local and state
20 stakeholders with whom we have been working, as well as
21 other interested parties. In the interest of maintaining
22 both technical rigger and neutrality, it will be our
23 intent to have an open process as we move forward with
24 this program.

25 There is a last point I'd like to make, which is

1 this. The program you're being asked to fund will test
2 mixed solid waste from a diverse but essentially regional
3 waste shed in Santa Barbara County. As Board members, you
4 may wonder whether this program will have any value or
5 applicability to other jurisdictions in regions of the
6 state or perhaps even to a national level. Let me assure
7 you that it will, because we will be using the ARB and EPA
8 approved test methods to characterize the pollutant
9 emissions that we look at.

10 I suggest, however, that our program shouldn't be
11 the end of the story. In truly an ecological sense, these
12 conversion processes show promise in recycling organic
13 materials in reducing the flow of trash into our
14 landfills, while having some unanswered questions about
15 air emissions. I suggest that the testing program before
16 you today should not be the be-all and end-all, but rather
17 it should be one of the many programs to look closely at
18 these conversion technologies to ascertain if they benefit
19 society in addressing how we handle our waste.

20 In summary, for the reasons I've described, we
21 support the proposal to fund emission testing of waste
22 conversion technologies. I greatly appreciate your time,
23 and thank you. And be happy to answer any questions.

24 CHAIRPERSON MARIN: Thank you so very much for
25 coming. And I know Ms. Peace wanted to ask further

1 questions.

2 BOARD MEMBER PEACE: This is great. I'm glad
3 you're doing this. My question is where would these
4 facilities be. I think that was answered.

5 CHAIRPERSON MARIN: Okay. Any further questions
6 regarding this item?

7 Okay. Thank you so very much.

8 The next one would be the conversion technology
9 forums. Are there any questions regarding that one?

10 Okay. Ms. Peace, no questions on that one.

11 Perfect.

12 Okay, Howard. What I'm going to do, just so that
13 the Board knows, we're going to finish this item, and then
14 we're going to go into closed session. We will have lunch
15 during the closed session, and then we will come back for
16 the remaining items of the Board.

17 Okay. So we go into Green Procurement Action
18 Plan items. Patty.

19 DEPUTY DIRECTOR WOHL: So, yes. I'm going to do
20 the Green Procurement Action Plan, which is, obviously by
21 its title, designed to increase the purchase of
22 environmentally preferable products. And for us, that's
23 in particular products that contain recycled content and
24 indirectly then reduce waste.

25 The emphasis for this action plan has been on the

1 diversion of the priority materials, which we identified
2 as construction and demolition material, plastics,
3 organics and paper, but also tires. There's nothing in
4 here about tires, because the money is obviously handled
5 out of the Five-Year Tire Plan. But the idea was to
6 leverage the purchasing power of state and local
7 governments to increase the purchase of recycled content
8 materials. And also because organics is such a big piece,
9 we had to tie in the agricultural community because they
10 would be a big purchaser of these products.

11 Originally, the strategy started with the
12 implementation and -- the design and then the
13 implementation of a toolbox, which is the Ogilvy contract
14 that you approved last year. So what that consists of is
15 developing the toolbox that has an assorted array of
16 documents. Some of the tools we identified were like
17 model procurement ordinances, standards, specifications,
18 guidelines, case studies, demonstration projects, anything
19 that we think helps sell the idea of why you should be
20 buying these products. And the plan was to have this
21 toolbox. It would be sort of a customized toolbox
22 depending on where you were going, what particular
23 jurisdiction, you would have a different emphasis on what
24 you wanted to promote with the local decision makers
25 there.

1 So part of our plan here is what pieces maybe are
2 we missing from that toolbox that we wanted to expand on.
3 And although we talked about some of those key materials,
4 there are some strategies in here that go beyond those
5 main priority materials, partly because there's some real
6 momentum in certain areas, and we don't want to lose that
7 momentum or we're participating in a national effort and
8 so you'll see some pieces of that. So you may say, why
9 are they in there, but we felt it was an opportunity we
10 didn't want to miss.

11 So I'll just move into a couple. The first two
12 are D4 and D5, which are focused in the organics area.
13 The first being the use of compost in nurseries. This is
14 a contract we anticipate for \$75,000. We're looking at a
15 standard agreement with the agricultural program of the
16 University of California cooperative extension Santa Clara
17 County. They've done some similar work. The idea is to
18 increase the use of compost in nurseries, which we've
19 determined is actually the largest grossing revenue crop
20 of all agricultural commodities in California. This
21 contract is designed to increase the use of compost by
22 50 percent for the nursery businesses, or 200,000 cubic
23 yards per year.

24 The second item is compost use in segmented
25 agricultural markets. This is also for \$75,000. This

1 would be competitively bid. So we don't have anyone in
2 mind, necessarily. The idea is to develop a predictive
3 purchasing model that identifies and targets the farming
4 sectors most likely to adopt the use of compost. We feel
5 like this would tie nicely with our work with Ogilvy,
6 because we would develop a tool such, and then with their
7 help we could identify who needs this particular tool.
8 And so it would be a combination of marketing that effort.
9 We anticipate that, if we were successful, we could
10 increase the use of compost in agricultural markets by
11 possibly 25 percent, or 2 million cubic yards per year.
12 That could be as much as a 1 to 2 percent increase in the
13 overall state diversion rate, which would be fabulous if
14 we could accomplish that.

15 And the last two, D6 and D7, as I mentioned, this
16 probably fits in the area of an opportunity that we don't
17 want to miss. And that is we've been working on a
18 national effort related to paint. At that time, they
19 identified eleven projects that they wanted to pursue. Of
20 those, there were three that they felt should be State
21 funded rather than industry funded. The industry has
22 stepped forward and is funding many of the projects. And,
23 in fact, there are matching funds already of \$400,000 from
24 state and industry for these efforts.

25 So this is probably California's portion of

1 accomplishing these efforts. And they involve the cost
2 analysis of leftover paint management infrastructure for
3 \$39,000. This is to develop a cost analysis to manage the
4 leftover paint. Show how the collection could be cost
5 effective, and therefore increase the collection of
6 processing of recycled paint. The first phase of this
7 project was funded out of Washington. So we could execute
8 a standard agreement with them to continue the work that
9 their contractor, SCS Engineering, did. And that's
10 probably the most logical, because they started an effort,
11 so we could continue it.

12 The second project, D7, is a paint product
13 stewardship financing system research and model. This is
14 for \$36,000. This project is part of the State's effort
15 to look at possible financing systems for recycling paint.
16 There are, as I mentioned, matching funds for these
17 projects. Since this is a collaborative project, the
18 actual contract mechanism hasn't been identified. We'd
19 probably look to the collaborative to decide, you know,
20 should this be bid out or how they would use this.

21 Those are kind of the four that we've identified
22 that fit for the green procurement. As I mentioned, we
23 have several efforts related to tires that are coming out
24 of the Five-Year Tire Plan.

25 CHAIRPERSON MARIN: Okay. Let me do Item Number

1 D4. Well, are there any questions regarding the compost
2 and nurseries? That's the one; right?

3 BOARD MEMBER WASHINGTON: Madam Chair, I don't
4 have as much a question as I do a comment in terms of I'm
5 very interested to see how this turns out with the
6 exporting the compost and nurseries. That's going to be
7 very interesting to see how that ends up. And I'm just
8 looking forward to seeing the end product of that. That's
9 going to be very interesting as it relates to this one.

10 CHAIRPERSON MARIN: Okay. Ms. Mulé.

11 BOARD MEMBER MULÉ: Thank you, Madam Chair.

12 I have a few questions about all of these items.
13 Let's just take them one by one. We'll go exploring the
14 use of compost in nurseries. I'm still trying to get an
15 understanding of what it is we're trying to accomplish
16 here.

17 I read in the third paragraph, I think it's the
18 last sentence, it says, "A survey conducted by the Board
19 of the wholesale nursery industry a few years back
20 identified barriers to use, which included a lack of
21 scientific information on how compost should be used in
22 very tightly controlled growing environment necessarily in
23 ornamental horticultural operations."

24 I guess my question for staff and specific
25 question on this, what has changed since that survey?

1 MR. LEW: I can answer that question. Ronald Lew
2 with the Organics Management Section.

3 A couple things on this item. The first thing is
4 that in regards to your question what has changed, in the
5 past decade, and even if you parse it out to the last four
6 or five years, the nursery industry has grown about 70
7 percent in the past decade, about 40 percent in the last
8 five years, almost the exact time from when we did this
9 survey in 2001. Agriculture, in general, outputs have
10 increased 40 percent. But interestingly enough, the use
11 of compost in both of those sectors, agricultural and
12 nursery -- although I lumped the two together. I consider
13 nursery a part of the agricultural sector -- has only
14 increased about 5 to 10 percent. So the question is why.
15 And we've identified some of the issues why nurseries are
16 not using compost on a regular basis. And that's detailed
17 in our findings.

18 One of the things that cuts across all sectors,
19 whether you're looking at different agricultural sectors
20 of the nursery industry, is that cost of compost seems to
21 be paramount in the barriers. And one of the reasons that
22 nurseries are so reluctant to use compost is because they
23 have a lot of cheap alternatives to compost. For example,
24 in potted growing medium or row bed crops, they use fur
25 bark. They use peat. They use perlite, which is priced

1 far below what they can buy compost for.

2 The second problem is that nurseries need very
3 specifically tailored compost products. They need stuff
4 with very low salinity. They need things with very low
5 packaging counts. It has to be within a certain pH.
6 These are specialty items that, in general, the compost
7 industry has not been very good at providing.

8 There's some very good data out there suggesting,
9 you know, what are the best products for nurseries. But
10 in terms of compost producing, those types of products,
11 it's sort of limited. And we feel there's a lot of room
12 for market growth, in these particular specialty compost
13 producers.

14 And my final point is that nurseries and the ag
15 sector in general tend to ignore the benefits of compost.
16 And, in particular, the nursery industry, one thing that's
17 really been overlooked is the water savings from the use
18 of compost. And that's actually the crux of this concept
19 right here, which I don't know if it's been brought out as
20 clear as it should have. But if you factor in the water
21 savings, potential water savings that can be derived from
22 using compost in potted mediums and in row crops, you
23 would probably see the per unit price of compost start to
24 fall to comparable levels as the other materials they're
25 using, such as perlite, peat, and such as that, but it

1 never gets factored into their cost. All they're looking
2 at is the up-front cost of the compost. So we want to do
3 some research to actually bring those benefits forward and
4 actually quantify what those water savings benefits would
5 be. So you can actually, you know, normalize costs across
6 compost and their competing items.

7 BOARD MEMBER MULÉ: Thank you. So then that
8 would be part of this study?

9 MR. LEW: The water savings?

10 BOARD MEMBER MULÉ: Uh-huh.

11 MR. LEW: Yes. In fact, in my mind, that's
12 probably the primary part. And from that flows other
13 things. If you're going to examine water savings, you
14 have to look at soil structure, soil properties, because
15 they're all intimately tied. You increase water savings
16 by changing the soil properties using compost. So all
17 those benefits flow from that. But that would be our
18 primary aim, correct.

19 CHAIRPERSON MARIN: Mr. Lew, you didn't have that
20 at all in your whole statement as to why this is very
21 important.

22 MR. LEW: Let me go back. The fourth paragraph,
23 interestingly enough, this existing scientific
24 literature -- says even potential water savings from
25 compost, chronic and increasing among nursery operations.

1 And then in the task list, specifically the project
2 proposes, we talk about valuing the effect of compost
3 applications in soil properties, water retention, and crop
4 yields of soils under nursery crop production. It's in
5 there. It's probably not as prominent as it should have
6 been.

7 CHAIRPERSON MARIN: If that's going to be the
8 focus of it, or it seems that should be the focus,
9 wouldn't that be the thing that comes up first?

10 MR. LEW: Probably. That should be first, and
11 then everything else flows from there. For example, soil
12 properties, crop yields under those changed soil
13 properties, correct.

14 CHAIRPERSON MARIN: Do you have any more
15 questions, Ms. Mulé?

16 BOARD MEMBER MULÉ: Well, thank you, if I may.

17 CHAIRPERSON MARIN: Go ahead.

18 BOARD MEMBER MULÉ: I just want to follow through
19 with this. So what you just told us, though, was that
20 there are cost issues and there are quality issues with
21 the compost, you know, the quality -- the ongoing, you
22 know, consistent quality of the compost. So those seem to
23 be two major issues. And, again, so how do we address
24 that via the study? Are you saying if we can get them to
25 use more, if there's a greater demand, the costs will go

1 down? But we have to make sure, though -- if that's the
2 case, then we have to make sure that the quality standards
3 are there. And that's what we've been -- I know that you
4 all are working on that, but, again, it just isn't clear
5 how all this fits together with what we're doing. And so
6 if can you just expand on that.

7 MR. LEW: I think that's a good point.

8 The consistency of quality product I think is one
9 of the major barriers we found in our survey and also well
10 documented in literature.

11 What I would say to that, I think it's a fitting
12 place to put this within the concept. The reason we don't
13 need a lot of money to do it and we don't necessarily have
14 to delineate a specific task is because there's a lot of
15 data out there in existing literature on what compost
16 should look like, what nurseries are looking for in
17 compost. There's a wealth of information out there, and
18 it's actually been confirmed by our survey. Whether we
19 want to revisit that issue, draw up some guidelines or
20 specifications, that's a good idea. I don't think it
21 would take a lot to do. But it could be rolled into this.

22 BOARD MEMBER MULÉ: I think that might be our
23 first step. Maybe we've leap frogged here. Maybe we need
24 to develop -- maybe we need to start with a survey to see
25 what do you need.

1 MR. LEW: We've already got that. That was
2 actually the 2001 survey we did. Part of this concept,
3 its intention is to fill in the gaps in our knowledge we
4 don't have right now. We know what nurseries are looking
5 for. We know why they don't use it. But one thing we
6 don't have is quantification of the benefits of compost.
7 And the main one we're interested in, in particular,
8 because a lot of the nursery industry is concentrated in
9 Southern California, in particular San Diego County, is
10 the water savings issue.

11 We think that if the data bears out the fact that
12 nurseries can save a lot on water using compost, that that
13 would be a strong incentive. That would really
14 incentivize, not only compost producers to come into the
15 market, but you would create an end use, too, in
16 nurseries.

17 CHAIRPERSON MARIN: You know, when I was reading
18 this, I was thinking this almost seems counterintuitive to
19 me. It would seem to me if anybody was to use compost, it
20 should be the nurseries. And so --

21 MR. LEW: In fact, the data doesn't even -- even
22 the data is counterintuitive, because generally sectors
23 that use compost are very high margin speciality products.
24 And you see that in the ag industry, for example,
25 organics, you know, organic fruit, organic vegetables,

1 because they have a higher margin of profit, they can
2 actually incorporate the cost of compost in there very
3 easily.

4 Nurseries, you'd think, would be a perfect outlet
5 for compost, and it isn't. And one of the issues that we
6 found in our surveys is that a lot of nurserymen don't
7 really know benefits of compost. The other thing is that
8 they've been using traditional materials forever, time and
9 memorial, and they're a conservative lot and they can get
10 that stuff very cheap, and it seems to work. But again,
11 they're ignoring a lot of the benefits of compost. And
12 one of the major benefits of compost in this particular
13 segment is the water savings.

14 CHAIRPERSON MARIN: Any further questions?

15 Ms. Peace.

16 BOARD MEMBER PEACE: Compost is always going to
17 cost more. But if you can get water savings from it, it
18 will balance out the higher cost of the compost.

19 MR. LEW: That's what we're theorizing, correct.
20 There's a lot of documentation out there saying compost
21 will improve water retention, but we don't know how much
22 in a nursery setting. We don't know how much it will save
23 them in volume, in cost, what the application rates of
24 compost would be to save a certain amount of water that
25 they are looking for. So there's a lot of unanswered

1 questions, and the literature is not very good about
2 answering those questions at this point.

3 BOARD MEMBER PEACE: Maybe as Santa Clara does
4 this, they can interview some nurseries down in the
5 San Diego area, because from what I understand from the
6 Greenery, the nurseries are lined up to get this stuff.
7 Maybe they know something down there that the rest of the
8 nurseries don't know.

9 MR. LEW: That's our thought, is to work with a
10 major nursery, probably in one of those five southern
11 counties. But San Diego is as good as the next. It has
12 25 percent of the horticultural nursery market. So that
13 would be a fit. And the nursery doesn't have to be
14 located in Santa Clara County by any means.

15 CHAIRPERSON MARIN: I don't know. I'm having a
16 problem trying to justify. It's not a lot of money, and
17 it's not the money. It just seems to me it's not really
18 clear as to how this \$75,000 will be used. What is the
19 first question that it's really going to answer? And I'm
20 just having -- maybe it's just me. Maybe I'm pretty dense
21 right now. But first and foremost question that will be
22 answered by the \$75,000, what's the big question that
23 we're attempting to answer?

24 MR. LEW: I guess the first question would be is
25 in our premises, how do we spur demand in nurseries to get

1 them to use more compost? And so the first question this
2 would answer is, this is why you would use compost in
3 nurseries. There's an economic benefit. There's an
4 agronomic benefit. There's an agricultural benefit.

5 BOARD MEMBER WASHINGTON: We're paying \$75,000 to
6 answer that question?

7 BOARD MEMBER MULÉ: But, Ron, as Board Member
8 Peace said, it sounds like there are -- the demand from
9 the nurseries in San Diego is great.

10 So again, in my mind, I don't know if we've taken
11 the first steps of this. I think we've kind of leap
12 frogged into this. I mean, to me, I don't think we need
13 to spend \$75,000 to tout the benefits of using compost in
14 nurseries. That's just how I feel. If that's what the
15 purpose of this project is.

16 MR. LEW: I think if you ask the general
17 question, I think it sounds you're not getting a lot of
18 bang for your buck.

19 If you narrow the question, I think -- and maybe
20 we need to go back and refocus at least how this is
21 presented. If we look at specifically water savings, a
22 critical commodity in Southern California, and would this
23 spur more demand in nurseries.

24 CHAIRPERSON MARIN: And then the question is one
25 of a marketing answer, you know. It's more how do we,

1 yeah.

2 Can we just revisit this? Can we revisit this?

3 BOARD MEMBER PEACE: I think we need to refocus
4 on water savings and quality control.

5 CHAIRPERSON MARIN: If it is okay with the Board,
6 can we just bring this back. We're not saying no. I
7 think we just need to refocus it and what is it that --
8 what's the answer we're really trying to get from this?
9 Okay.

10 MR. LEW: Fair enough.

11 CHAIRPERSON MARIN: Okay. Let's go to the next
12 concept.

13 BOARD MEMBER MULÉ: If I may --

14 CHAIRPERSON MARIN: It's the same thing again,
15 actually.

16 BOARD MEMBER MULÉ: If I may, Madam Chair, you
17 know, same thing. I'm reading through this, and I'm just
18 having trouble understanding what it is we're trying to
19 accomplish. And then I read that, you know, we are
20 working with Ogilvy. But my understanding is that
21 contract is to promote the use of compost with
22 jurisdictions, not necessarily the ag market. So I don't
23 know if John wants to help me out with that. I didn't
24 know we expanded the scope of our contract to include the
25 ag industry.

1 CHAIRPERSON MARIN: You know what? I'm going to
2 take the prerogative. Can we bring the two back together?

3 BOARD MEMBER MULÉ: I think that would be
4 helpful.

5 CHAIRPERSON MARIN: All right. Let's go to the
6 next item, which would be contract concept cost analysis
7 of leftover paint management infrastructure. Do we have
8 any questions regarding that item? I see people writing.

9 And Ms. Mulé.

10 BOARD MEMBER MULÉ: Well, again, on both of
11 these, I'm just having trouble understanding how this fits
12 into our priorities and our action plans. I know that
13 with the -- you know, I know that we are a part of the
14 National Paint Product Stewardship Initiative. But my
15 question then is, are we the only ones funding this, or
16 what percentage of this funding comes from the Board for
17 these projects? Are these national projects? In so, then
18 what percentage of funding is the Board funding these
19 projects?

20 MR. GALLAGHER: Glenn Gallagher, Used Oil,
21 Household Hazardous Waste. I'm speaking on behalf of
22 Shirley Willd-Wagner, who originally wrote the contract
23 concepts, and Bonnie Cornwell. They couldn't be here,
24 because they had to attend the NAMA conference in Tacoma,
25 Washington.

1 To answer your question, essentially out of the
2 eleven projects identified by the Product Stewardship
3 Institute, we are funding one of them completely at this
4 point through a Household Hazardous Waste Grant. And
5 we're intending at this point to partially fund two more
6 to the tune of approximately 300,000 total from us, of
7 \$1.2 million total for the eleven projects. So that's
8 about 25 percent. Of course, California has, you know, a
9 lot of people. We're approximately 15 to 20 percent of
10 the nation's population. So we're just one of many, many
11 entities funding these projects. And as Patty Wohl
12 pointed out, industry manufacturers have stepped up to the
13 plate and they're funding, I believe, close to half or
14 more of the amount of money necessary.

15 BOARD MEMBER MULÉ: So for the cost analysis of a
16 leftover paint management infrastructure, again, what are
17 we trying to accomplish? I'm reading through this, and
18 I'm still trying to understand how this fits into what
19 we're charged with here at the Board.

20 MR. GALLAGHER: Good question. Part of the
21 answer is these two projects are just two out of eleven
22 projects. In this particular project, we are trying to
23 get a handle nationally on how much does it cost to
24 collect paint, reprocess it, make it available for reuse.
25 And I'm getting ahead of myself, but the financing part

1 is, where does the money come from? How much does it
2 cost? Where does the money come from? What works best?
3 So right now we have in 58 counties, we have 58 different
4 methods. And we're just trying to get to one, and
5 actually a national solution. It's really our chance to
6 become national leaders on the leftover paint issue.

7 CHAIRPERSON MARIN: And by being the national
8 leaders, actually it's going to cost us -- we're going to
9 be the one that foots the bill.

10 MR. GALLAGHER: Correct. Well, approximately 25
11 percent of the money that's been requested for all the
12 projects, CIWMB has been requested to fund that amount.

13 CHAIRPERSON MARIN: Okay. I don't know about
14 this.

15 Ms. Peace.

16 BOARD MEMBER PEACE: You know, leftover paint is
17 a big part of our household hazardous waste and the Used
18 Paint Product Stewardship Initiative seems like it has
19 momentum and it's going forward. It's on the national
20 level. But, you know, they need some more money. They
21 need some more help, and California has the money to do
22 that. And I think we should be happy that we have the
23 money to push this forward. Whether it's implementing the
24 first e-waste program or sending Bob to Trinidad,
25 California is a leader on environmental protection. And I

1 think as long as we do have the money available that we
2 should help push this product stewardship initiative
3 forward.

4 BOARD MEMBER MULÉ: Well, I agree with you, Board
5 Member Peace. But by the same token, I think we have a
6 responsibility to make sure this money is spent in a
7 proper and sound manner. And I'm trying to understand how
8 a cost analysis of a leftover paint management
9 infrastructure does that. I still don't know what this
10 does for us. What does this accomplish for us? And so
11 that's why I'm raising these questions. And, again, I
12 think maybe with these two items as well as the other two,
13 maybe we need to go back and rework these.

14 CHAIRPERSON MARIN: Yeah. You know, I know that
15 it's very tempting, because there is this pot of money.
16 And sometimes we come up with ideas of how we can utilize
17 this money, while not necessarily having thought out is
18 this truly a priority. By spending this money here, are
19 we foregoing an opportunity to spend it in an area that we
20 think is really critical to the Board's mission? It's
21 important, but not critical. It's a good idea, but maybe
22 not necessary. And so these are the questions that need
23 to be asked.

24 And it's no reflection on the particular job of
25 any particular person here at the Board. But we have to

1 ask those questions. You know, and it's not -- well, it's
2 only \$36,000. Oh, well, it's only 25 percent. You know,
3 there is a fundamental question, how does this truly
4 advance the critical needs that this Board has chosen to
5 embark upon and --

6 MR. GALLAGHER: Just a little background. Right
7 now, local governments basically have the unfunded mandate
8 of collecting and recycling leftover paint. And that's \$9
9 million every year in California alone. So the cost
10 benefit of completing these projects is really, really
11 high, you know, for approximately \$100,000 together. If
12 we can come up with the solution, then we can take
13 something that's right now a waste or cost and make it
14 into a benefit and recycle paint, which is a commodity.

15 CHAIRPERSON MARIN: Glenn, let me understand
16 this. You're saying that if we spend \$36,000, we're going
17 to save local governments \$9 million?

18 MR. GALLAGHER: If the eleven projects that will
19 be completed October 2006 do what they're supposed to do,
20 and I'm sure they will, we'll basically have a national
21 solution to leftover paint.

22 CHAIRPERSON MARIN: Why didn't we do this long
23 ago?

24 BOARD MEMBER MULÉ: Madam Chair, what I'd like to
25 see, though, is -- and it comes up later, too. I was

1 going the make this comment under the universal waste
2 action plan or portion of that. I would prefer to see
3 this money go directly to the local governments so they
4 can then -- if it's costing them \$9 million a year and
5 it's an unfunded mandate and they're paying into these
6 funds, into the IWMA Fund as well as the Used Oil and
7 other funds, I think that it's our responsibility to get
8 that money back out to them so they can set up the
9 collection programs and the events to keep this stuff out
10 of the landfill and properly managed.

11 CHAIRPERSON MARIN: Okay.

12 BOARD MEMBER PEACE: Used paint is such a huge
13 thing for the household hazardous waste departments,
14 whatever you call them, in the jurisdictions to deal with.
15 If we can fund a project that will help them better manage
16 their paint and reduce the costs for them, overall, I
17 think this is something that's going to work.

18 CHAIRPERSON MARIN: To your understanding, what
19 is the question that's being answered? You want to spend
20 \$35,000.

21 BOARD MEMBER PEACE: Ultimately, help the
22 household hazardous waste departments across the state
23 more effectively manage their leftover paint.

24 BOARD MEMBER MULÉ: Is that what this is supposed
25 to do?

1 DEPUTY DIRECTOR LEE: Madam Chair, if I may.

2 Perhaps provide a little additional light on this, if
3 possible.

4 I think one of the reasons you're struggling with
5 this one is because I think the paint contract concepts,
6 you know, aren't the largest component of the great
7 procurement action plan. As you know, Patty mentioned in
8 her remarks, our main initiatives there are RAC, civil
9 engineering, compost, organics, and moving C&D materials.
10 However, you know, paint is a special waste. This is
11 something we thought we would take advantage of this
12 opportunity to try to advance this initiative as well.

13 We've already made -- the Board has already made
14 significant progress in many of these areas. I think
15 Glenn Gallagher mentioned the funding for the HHW grant to
16 look at the paint certification to develop some paint
17 certification specs. Similarly, like I said, the issue
18 with regards to the economics of these various projects is
19 very important. You know, right now, there's numerous
20 ways this particular problem, you know, could be
21 addressed. We're trying to determine with the concept D6
22 to see what's the most economical way for local
23 jurisdictions to capture this waste stream, which is the
24 largest component of the HHW stream.

25 Contract Concept D7 looks at now that we've

1 decided what the optimal paint infrastructure is, what's
2 the best way for paying for that? So we think this is
3 money well spent that will advance not only the Green
4 Procurement Action Plan, but as I'll note later in any
5 remarks, is something especially on the financing
6 initiatives that will be useful for the u-waste where
7 that's a main barrier to control of that particular
8 problem.

9 BOARD MEMBER PEACE: When you're looking at the
10 financing system, you're talking about whether it's an
11 advance disposal fee or something like which is the best
12 way to handle the costs?

13 DEPUTY DIRECTOR LEE: That's correct.

14 CHAIRPERSON MARIN: Okay. So if we spend this
15 money, just very simply, if we spend this \$36,000, we are
16 going to be able to have the magic answer to all local
17 governments as to how they can forever save \$9 million?

18 MR. GALLAGHER: We will be well on our way.

19 DEPUTY DIRECTOR LEE: Magic answers are hard to
20 come by in this program and any other ones. But we think
21 we'll be a lot closer to that answer being able to show
22 the local jurisdiction exactly what the best way is for
23 potentially handling this problem and showing them the
24 path we think will provide many benefits.

25 EXECUTIVE DIRECTOR LEARY: Madam Chair, if I

1 might suggest, like the earlier two, this needs some
2 refocus. I understand ultimately how this -- I think I
3 understand, as I read them how the whole picture fits
4 together. It's not well defined in this contract concept.
5 I think it actually could be a potential important piece
6 of the Green Procurement Action Plan in the sense local
7 governments procuring recycled content paint is a large
8 portion of solving the waste paint problem in the state of
9 California. And that could ultimately translate into a
10 tool in the toolbox that we'll be offering to the local
11 jurisdictions as part of the ultimate implementation of
12 the Green Procurement Action Plan.

13 This doesn't say I think what you need to
14 understand to buy into the use of this money. And we need
15 to refocus it and try to make it say what you need to hear
16 so that you can completely understand how the pieces fit
17 together. And then ultimately if they don't fit together
18 to your satisfaction, then money won't be used this way.
19 But like D4 and D5, I'd like you to allow us another shot
20 to put the pieces together and provide it back to you next
21 month.

22 CHAIRPERSON MARIN: Okay. You're on. Okay.
23 Thank you, Glenn.

24 Mr. Schiavo, your Pilot Data Integration and GIS
25 Component Study Contract Concept.

1 DEPUTY DIRECTOR SCHIAVO: Pat Schiavo, Diversion,
2 Planning, and Local Assistance Division. And first of
3 all, I would like to thank members of the Market
4 Assessment Team. They're comprised of DPLA, Market
5 Development Division, as well as Permits and Enforcement
6 staff. So they provided a lot of assistance in putting
7 this together.

8 Currently, we have regional information regarding
9 disposal reporting information for jurisdictions as well
10 as counties. We have the locations of state programs,
11 local jurisdiction programs, but what we lack is
12 information regarding recycling materials flow. We just
13 don't have that at this point. And that's the focus of
14 this action plan.

15 And rather than undertaking initially a statewide
16 effort, we decided to fall back a little bit. Take a look
17 at a pilot effort. That way, we can reevaluate our survey
18 instrument. We can look at the logistics of what we're
19 doing as well as better manage the statewide effort when
20 we have our staffing resources in place.

21 Then to enhance the overall effort, what we
22 wanted to do is investigate the use of a GIS system as
23 depicted in Contract Concept D8. And we have coordinated
24 with staff from Information Management Branch to help us
25 come up with the estimates of what it would cost for the

1 pilot.

2 We're looking at, you know, dovetailing this
3 effort ultimately with disposal reporting information as
4 well as with state and local information regarding the
5 program data. And the bottom line is one picture says a
6 thousand words. And by graphically depicting what we're
7 coming up with, I think that's going to be helpful for
8 market development purposes in the future.

9 So that pretty much concludes -- oh, one other
10 thing I would like to add, I'm sorry, is we're looking at
11 trying to contract with other state agencies or state
12 colleges or universities. And it's an open process at
13 this point in time, so we'll be soliciting --

14 CHAIRPERSON MARIN: Have you selected the areas
15 yet?

16 DEPUTY DIRECTOR SCHIAVO: Yeah. Preliminarily,
17 we are looking at Northern California just because of
18 resources. It's going to be less expensive to get staff
19 up there. So we are looking at Marin County,
20 San Francisco, San Joaquin, and Sacramento.

21 CHAIRPERSON MARIN: And nothing in L.A.?

22 DEPUTY DIRECTOR SCHIAVO: Not for the pilot.
23 Mainly, we're trying to test the survey instrument and the
24 questions to be asked, how we're going to compile the
25 information, what an analysis looks like. Once we do

1 that, then we'll go ahead and expand it to Southern
2 California.

3 CHAIRPERSON MARIN: Okay. Actually, maybe I'm
4 wrong. But it would seem to me that in L.A. you would
5 have a lot more to map than maybe --

6 DEPUTY DIRECTOR SCHIAVO: You're right. There is
7 more to map. But, again, we're just looking at initially
8 just what is it even going to take at any level. And then
9 we're looking at urban areas, so that will translate to
10 the Southern California area as well. If we took all that
11 at one time, I think that would overwhelm us and --

12 CHAIRPERSON MARIN: I know it's a pilot. I
13 appreciate that. I was just thinking maybe it would be
14 easier. Maybe you would have a lot more in a concentrated
15 area. But, okay. You guys are the experts. I was just
16 trying to make it easier.

17 Okay. Any other questions regarding this one?

18 No. Let's finish, guys.

19 The next item, Michael Leason, Post Consumer
20 Plastic Infrastructure Assessment & Market Development
21 Strategies.

22 DEPUTY DIRECTOR WOHL: I'll introduce it. And if
23 we have any specifics, Mike can come up and talk.

24 But this one is sort of a stand alone. It didn't
25 necessarily fit specifically into an action plan, although

1 it has concepts of the market assessment and concepts of
2 green procurement. But, again, it's sort of capitalizing
3 on a project that we have ongoing, which is to increase
4 the collection of film plastic. In particular, we've been
5 working with our stakeholders for some time. We feel that
6 we've had some interest from some companies about siting a
7 washing facility here in California. We think that could
8 be huge for improving the collection of ag film as well as
9 other plastics.

10 So, you know, we think we can get some more data
11 to help these companies decide if siting here in
12 California is a good idea. So there's the idea of the
13 feasibility to gain an understanding of the wash lines and
14 how we can collect that and identify any barriers or
15 permitting issues for siting here. Sort of a
16 public/private partnership issue.

17 Then we want some dollars for facilitation.
18 We've used some facilitation dollars in our last couple of
19 sessions. It's good to have an independent third-party
20 occasionally do that when it's a heated discussion.

21 And then, lastly, to do additional research on
22 methods for collecting. There's a lot of issues related
23 to ag film in particular. How do you collect it such that
24 you're not removing a lot of soil, that you're not
25 hindering the washing facility process, and so that you're

1 getting the most film in the best way. And so to look at
2 doing some research in that particular area. So we just
3 felt like these would help us facilitate possibly siting a
4 washing facility here in California.

5 CHAIRPERSON MARIN: Thank you, Patty.

6 Any questions for either Patty or Michael?

7 Ms. Peace. Ms. Mulé.

8 BOARD MEMBER MULÉ: I know that -- first of all,
9 I want to thank our Plastics Technology Group staff,
10 because they have done an outstanding job in the last year
11 in trying to pull all this information together. And they
12 will be presenting that information at two workshops, one
13 October 11th, the other one on the 12th. Again, I'm just
14 trying to understand what we're trying to accomplish. So,
15 Mike, if you want to go into that in a little bit more
16 detail so everybody understands what you're trying to do
17 with this money.

18 SUPERVISOR LEAON: Okay. For the record, this is
19 Mike Leao, Supervisor of the Plastics Recycling
20 Technology Section. And I appreciate that acknowledgement
21 of staff's efforts on these working groups and bringing
22 parties together on this.

23 And really these proposals here in this concept
24 flow out of the working groups that we took about a year
25 to look at where should we focus our efforts on collecting

1 plastics. And there is a consensus that if we can get it
2 collected, that there are markets for it. And so these
3 concepts go towards that collection.

4 On the ag film side, there's a lot of material
5 for which there are good markets for. But for some
6 reason, we have not been able to facilitate the siting of
7 wash lines in California. So we want to take a closer
8 look at that. Why is that so? Because we're going to
9 need not one or two, but several of these wash lines in
10 order to process any significant amount of agricultural
11 film. So we're interested in taking a look at both, what
12 are the barriers? Is it the capitalization costs? Do we
13 need to somehow try to share those costs? Is it the
14 feedstock issues and the flow of materials and the
15 seasonality associated with ag film? Is it the condition
16 of the film once it's pulled? So we want to take a look
17 at those various questions. Also the question about
18 regionality, where these facilities need to go? And we
19 hope that information will help facilitate the siting of
20 these facilities.

21 Another issue we should address is the permitting
22 question, because that has been a challenge. We do have
23 three companies that are actively looking at siting a wash
24 line currently. But to date, those still haven't come to
25 fruition. We think there's significant barriers there

1 that we need to investigate.

2 CHAIRPERSON MARIN: Do we have any washing
3 facility for plastic in the state?

4 SUPERVISOR LEAON: Yes. There are wash lines.
5 But, for instance, we helped fund through the loans
6 program an expansion of a wash line in Southern
7 California. But that's more focused on collection of
8 grocery sacks and commercial film, not on the ag film.

9 CHAIRPERSON MARIN: But not agricultural, okay.

10 SUPERVISOR LEAON: On the collection side, again,
11 we need to collect more material. But that goes beyond ag
12 film. Our working groups also identify that we should be
13 targeting grocery sacks, merchandise bags, transport
14 packaging. On the RPPC side, the recovery of containers
15 has been declining now for several years. And that's a
16 question we're not as far ahead as we are with film. But
17 I think we need to be investigating that question, too,
18 because these represent really the low hanging fruit for
19 plastic. When we look at the materials in the waste
20 stream, the materials where there's opportunities are on
21 the ag film side with ag film, stretch wrap, containers,
22 so we feel that these concepts will help us begin looking
23 at how are we going to collect these materials.

24 BOARD MEMBER MULÉ: Thank you.

25 CHAIRPERSON MARIN: Okay. Mr. Washington? Ms.

1 Peace? No.

2 Okay. You know, clearly, we have a situation
3 where 9 percent of -- this is about 99 percent of the
4 entire waste stream, and we're only recycling about 3
5 percent of them. So there's efforts that need to be
6 improved to increase that.

7 Thank you, Michael. Thank you.

8 Okay. I'm prepared for a motion with --

9 BOARD MEMBER MULÉ: Madam Chair, I just have some
10 questions regarding the Enforcement and Training Action
11 Plan and the Universal Waste Action Plan.

12 CHAIRPERSON MARIN: I'm sorry. I need to go
13 back.

14 BOARD MEMBER MULÉ: I don't know, Howard, did you
15 want to go through these first?

16 CHAIRPERSON MARIN: Yes. Let's go through them.
17 I'm sorry. I got to the end of the page here. You
18 thought you were going to get away with it.

19 DEPUTY DIRECTOR LEVENSON: I'm happy to be here.
20 I'm not hungry.

21 CHAIRPERSON MARIN: We are very hungry. This one
22 is going to pass out on me soon.

23 DEPUTY DIRECTOR LEVENSON: We have two other
24 action plans to give you a quick update on. We'll be very
25 brief.

1 The Enforcement and Training Action Plan brings
2 together a suit of issues that the Board has to deal with
3 on a policy level. One of those is the issue of LEA and
4 operator training. Our program now primarily focuses on
5 LEAs. And we've been exploring whether to expand that and
6 how to more systematically include operators in that
7 training. We had a workshop earlier this month, and we
8 will be bringing an agenda item to you for consideration
9 in a couple of months on direction on that issue.

10 The other major issue is enforcement. We've been
11 working with LEAs for the last few years to identify gaps
12 in enforcement authority and have pulled together a list
13 of other issues that warrant Board discussion and
14 direction. We've discussed this at LEA conferences the
15 last couple years, and we'll be bringing to you at the P&E
16 Committee a policy item in the wintertime seeking further
17 direction on a lot of these issues. That could lead to
18 legislative proposals or other directions from you.

19 Both of these are really being conducted in
20 complement with the CalEPA Enforcement Initiative, which
21 has both training and enforcement model components. So we
22 hope all of these are going to result in guidance and
23 initiatives that strengthen our state and local
24 enforcement and training programs. They also mesh with
25 our work in putting on the CalEPA Enforcement Symposium

1 and Basic Inspector Academy.

2 At this point, we're not requesting any contract
3 dollars. But it is conceivable that based on your
4 direction relative to the training item in a few months
5 that we might need additional contract funding to expand
6 the training program to encompass additional classes and
7 increase outreach to operators. But that is to be
8 determined later on. So that's just a quick rundown of
9 what we're doing in that area.

10 CHAIRPERSON MARIN: But we're not approving --
11 with this item not approving any particular contractor.

12 DEPUTY DIRECTOR LEVENSON: That's correct.

13 CHAIRPERSON MARIN: Now, is this going to be
14 related -- does this play into what CalEPA's efforts are?

15 DEPUTY DIRECTOR LEVENSON: Absolutely. The
16 CalEPA initiative, which I certainly can provide you a
17 more detailed update, but it has many working groups
18 including a cross-media cross-agency training group that
19 we're part of. We have the enforcement model program,
20 which is the major overarching one that we're part of. So
21 all of the work we're doing on training and enforcement
22 with the LEAs kind of meshes in and compliments that.
23 There'll be results from that initiative later on probably
24 later this fiscal year that we'll need to bring to the
25 Board for your consideration as to what to adopt and where

1 to move on those.

2 BOARD MEMBER MULÉ: So, Howard, there's nothing
3 that we can do now in terms of funding? There's --

4 DEPUTY DIRECTOR LEVENSON: What we need to do and
5 what we've been directed by the Board is to come back with
6 an item talking about what potential for expanding the LEA
7 training program would be, and I think that's premature
8 for us to put out a number today.

9 CHAIRPERSON MARIN: Okay. Are you going to talk
10 about universal waste, Jim?

11 DEPUTY DIRECTOR LEE: Yes, Madam Chair. First of
12 all, with regard to the Universal Waste Action Plan, just
13 kind of describe what the types of materials we're talking
14 about here, mainly household batteries, florescent tubes,
15 an array of consumer electronic devices. These are wastes
16 which are a substantive hazardous waste but are deemed to
17 be less of a threat to the public than others, and
18 therefore they have a reduced management requirement.

19 You know, although it's perceived these materials
20 have less of a risk, the current DTSC regulation still
21 imposes a February 2006 deadline on disposal of these
22 materials to the landfill.

23 So the question is, you know, what is Board staff
24 doing about that right now? Well, first of all -- again,
25 there are recently Board-approved HHW grants. You know,

1 we made u-waste collection recycle a focus on that grant
2 program, which is four-and-a-half million dollars a year.
3 And I believe 60 percent of it was u-waste related in the
4 projects that were approved.

5 Secondly, we're still conducting our ongoing
6 bimonthly household hazardous waste exchange meetings
7 where we're continuing to explore with local
8 jurisdictions, you know, the e-waste, u-waste issues that
9 pertain to them. Of note in this particular regard is
10 that in a recent meeting in the Bay Area, there was some
11 informal survey made of the jurisdictions in attendance
12 there. And I think it was less than 5 percent of them
13 basically had some u-waste program they were implementing.
14 And these are communities that are considered to be the
15 more proactive communities in the state.

16 You know, what do we propose as part of the
17 action plan to be doing in the future? Well, number one,
18 we're developing an electronic reporting system for local
19 jurisdictions. It's a form 303 update so at least we have
20 a better understanding of what's out there and we can more
21 easily compile and collate the data.

22 Secondly, we'll be participating with DTSC in a
23 series of workshops scheduled for October to discuss,
24 among other things, the February 2006 deadline. You know,
25 obviously, that particular deadline is the lynch pin for a

1 lot of the efforts. A lot of the local jurisdictions are
2 basically waiting to see what the situation is going to be
3 there. You know, the bottom line is most of them, you
4 know, contend that they are over taxed right now with
5 regard to their responsibilities with e-waste and just
6 handling their solid waste streams. So u-waste is
7 something that for a lot of them isn't on their radar
8 screen yet.

9 We'll also be considering an enhanced publicity
10 and education effort to local jurisdictions as part of the
11 e-waste outreach program probably next year. You know,
12 right now, the feeling is a little premature to be jumping
13 too much on that band wagon, because most local
14 jurisdictions don't have a place to take the material.

15 Also with regard to the contract concept, again,
16 just to reiterate my remarks earlier to the Board with
17 regards to the financing of Contract Concept D7, looking
18 at those various financing alternatives is very important,
19 not only for the paint, but also for the u-waste.

20 I know Board Member Mulé had mentioned the idea
21 about spending the money perhaps more cost effectively by
22 giving it directly to the local jurisdictions in the form
23 of grants. But it was one of the topics at our recent
24 conference here earlier in the spring, was the fact that
25 long-term, you know, additional grant funding does not

1 appear to have a lot of viability for addressing a lot of
2 these waste streams.

3 And I think Board Member Peace mentioned the
4 advanced disposal fees. We're currently trying to get the
5 e-waste program up and running. And I think that's -- I
6 guess kind of the jury is still out on that what the
7 long-term benefits are going to be. But there's no end
8 potentially of the various things that an advanced
9 disposal fee could be imposed. I know a couple of years
10 ago there was one they were contemplating for baby
11 diapers.

12 So I think ultimately this strategy will tax the
13 ability and the willingness of the regulated community to
14 pay. So I think we're going to need to be looking at some
15 sort of manufacturer take-back, some producer
16 responsibility, things that I think Carroll Mortensen
17 mentioned, some legislation exploring with regards to the
18 battery situation.

19 So in any event, I guess just a final summary, I
20 guess we believe we're in there pitching with our sister
21 agency, DTSC. We are willing to provide and assist in the
22 areas that I mentioned through financial support, through
23 additional technical outreach to try to advance this
24 program.

25 CHAIRPERSON MARIN: Okay. Any further questions?

1 Are we ready for a motion?

2 Ms. Peace.

3 BOARD MEMBER PEACE: I'm ready to make a motion,
4 but I wanted to say one thing. In the action plan items,
5 a couple of them mention the Ogilvy contract. And I
6 think, Jon, you're overseeing -- you and your office, are
7 you overseeing the Ogilvy contract?

8 ASSISTANT DIRECTOR MYERS: Yes. I'm the contract
9 manager.

10 BOARD MEMBER PEACE: At some point, can we have
11 an update on how that contract is being coordinated with
12 all the things that the -- you know, between the green
13 procurement and the tires and the civil engineering?

14 ASSISTANT DIRECTOR MYERS: Certainly. We can
15 provide that. The contract was just signed two to three
16 weeks ago earlier this month. So we haven't had time to
17 engage in a lot of activity. We have set up an aggressive
18 agenda so far. So I was planning on putting an agenda
19 item forward where we can bring Ogilvy in and discuss
20 where they're going, what they're doing, what they're at
21 at this point. That should be coming forward soon.

22 CHAIRPERSON MARIN: We expect that at the next
23 Board meeting.

24 ASSISTANT DIRECTOR MYERS: Actually, I was
25 looking more at the November, so we can get past some of

1 the events they'll be doing in October. Like the League
2 Conference is going to be a big part of some of the
3 planning and background they're doing. I'd like to
4 actually get past that so we can get a better summary for
5 all of you.

6 CHAIRPERSON MARIN: Okay. Ms. Mulé.

7 BOARD MEMBER MULÉ: Thank you, Madam Chair.

8 Thank you, Jim. That was a good update.

9 But, again, I'm supportive of providing some
10 funding back to the local jurisdictions, especially with
11 this whole initiative that may or may not happen in
12 February. I mean, if we put ourselves in the shoes of the
13 local jurisdictions, you know, they're really just -- they
14 don't know what's going to happen either way. And my
15 feeling is that any support that we can provide them in
16 terms of outreach programs, outreach assistance, and we
17 can start the planning for that now. And that's what I'm
18 thinking maybe we should use some of these dollars to do
19 that.

20 Also, to provide either grants or some type of
21 assistance to help them put in place the additional
22 infrastructure that's going to be needed to collect all
23 these additional items, as well as the additional
24 collection events. I mean, you know, once again, I think
25 we're going to be stuck at the last minute saying all

1 right. You know, it's going to be December, and we're
2 going to say okay, as of February 1st, all these items are
3 banned from the landfill. And the local jurisdictions are
4 once again stuck with how do we deal with this.

5 So what I would like to see, Madam Chair, is for
6 us to provide some type of funding. And I don't know how
7 flexible we can be with it. But to set aside some funding
8 so that the local jurisdictions have this money available
9 to them in the event that this whole u-waste program
10 starts in February of '06.

11 CHAIRPERSON MARIN: I think we really need to
12 revisit that. What would be the best mechanism that we
13 can provide to the local jurisdictions to prepare
14 themselves for February 2006. We really need to come to
15 grips with it really fast.

16 DEPUTY DIRECTOR LEE: We'll be pleased to discuss
17 that in a little more length. I guess in our situation
18 with the available funds that we have for this purpose,
19 you know, as I said, we've got four-and-a-half million
20 dollars a year from the Integrated Waste Management
21 Account to deal with the household hazardous waste total.
22 As I mentioned in my earlier remarks, we devoted a
23 majority of that this year. I think our expenditure
24 authority potential is only \$5 million out of IWMA.

25 And as you know, there are a lot of competing

1 demands for that particular money. The last estimates I
2 saw for the amount of money that it would take to kind of,
3 you know, seriously handle the u-waste problem was upwards
4 of 40, \$50 million or more, a program akin to the e-waste
5 and potentially even larger since the universe of
6 materials is much larger.

7 CHAIRPERSON MARIN: Well, but I think that we
8 will be remiss if we have another e-waste on our hands
9 where we've already gone through a process of implementing
10 that program. We know where the holes are. We know what
11 the challenges are.

12 If we're anticipating that this could come as
13 early as February of 2006 and we do nothing, or maybe this
14 is just with high hopes that, well, somewhere, somehow --
15 we know ahead of time. We already know this will be
16 coming. If nothing else, it's planning dollars. What I
17 was thinking is maybe we don't necessarily give them money
18 to take in all of this, but rather to plan what will
19 happen when this takes effect. And whether it's February
20 or May or December of next year, maybe it's planning
21 dollars so it doesn't catch them all by surprise.

22 Put yourself in their shoes. Maybe some of them
23 will not need it. But at least they will not be caught by
24 surprise, most of them, and especially the little
25 jurisdictions, you know. I'm sure L.A. and San Francisco

1 they're already anticipating. They're already developing
2 programs and they don't have them yet. But some of the
3 smaller jurisdictions, I think all we can do is planning
4 money.

5 Mr. Cupps, from the public.

6 MR. CUPPS: Good afternoon. For the record, my
7 name is Jon Cupps. I'm a consultant to, among other
8 clients, the San Luis Obispo Integrated Waste Management
9 Authority, and we operate five household hazardous waste
10 facilities.

11 We've been looking at the costs of trying to deal
12 with this waste stream. And, frankly, we're extremely
13 concerned that the costs of handling these materials are
14 just going to overwhelm our programs. And I have the
15 sense that we're a smaller jurisdiction. Perhaps some of
16 the larger jurisdictions are better prepared than we are.
17 I'm not necessarily convinced of that based upon some of
18 the conversations that I have.

19 As I understand it, DTS is going to be holding
20 workshops in October. And one of the topics of those
21 workshops is to consider a delay in that date. And I
22 guess I would urge this Board to take a good long and hard
23 look at supporting a delay. Because, frankly, the costs
24 are just going to be overwhelming.

25 CHAIRPERSON MARIN: You know, that raises a very

1 significant policy question for the Board, because, you
2 know, these items are out there. It is in our best
3 interest to make sure that they are collected in the most
4 appropriate way. That will be a policy discussion for all
5 of us to really have at a not-too-later time.

6 So maybe, Mr. Leary, we can put our heads
7 together to bring this back ASAP.

8 Okay. Board, we need to -- we're going to have a
9 very quick lunch, I can tell you that, with a closed
10 session. I'm ready for a motion.

11 MR. ESTES: Madam Chair, may I interrupt?

12 CHAIRPERSON MARIN: Mr. Estes.

13 MR. ESTES: There's a typographical error on
14 Attachment 4, which is the Resolution. And that
15 Resolution Number should read 2005-276, instead of 2002.

16 CHAIRPERSON MARIN: Okay. That noted, 276.

17 Is there a motion? Ms. Peace.

18 BOARD MEMBER PEACE: Okay. I would like to make
19 a motion. I'd like to move Resolution 2005-276. This is
20 Considering Allocation Item Number D1, D2, D3, D8, and D9
21 for a total of \$690,000. And with the understanding that
22 4, 5, 6, and 7 will be brought back to the Board next
23 month.

24 BOARD MEMBER WASHINGTON: Second.

25 CHAIRPERSON MARIN: Moved by Ms. Peace and

1 seconded by Mr. Washington.

2 Call the roll, please.

3 EXECUTIVE ASSISTANT BAKULICH: Peace?

4 BOARD MEMBER PEACE: Aye.

5 EXECUTIVE ASSISTANT BAKULICH: Mulé?

6 BOARD MEMBER MULÉ: Aye.

7 EXECUTIVE ASSISTANT BAKULICH: Washington?

8 BOARD MEMBER WASHINGTON: Aye.

9 EXECUTIVE ASSISTANT BAKULICH: Marin?

10 CHAIRPERSON MARIN: Aye.

11 Okay. We are going to take a very quick lunch.

12 We will be back at 2:15 at the latest. Thank you.

13 We are going into closed section pursuant to

14 Mr. Block's instruction.

15 STAFF COUNSEL BLOCK: The Board will be going

16 into closed session to discuss personnel and litigation

17 items pursuant to Government Code Sections 11126(a)(1) and

18 (e).

19 CHAIRPERSON MARIN: Thank you, sir. We'll see

20 you at 2:15.

21 (Thereupon a lunch recess was taken.)

22 CHAIRPERSON MARIN: The meeting of the California

23 Integrated Waste Management Board has reconvened.

24 And call the roll, please

25 EXECUTIVE ASSISTANT BAKULICH: Mulé?

1 BOARD MEMBER MULÉ: Here.

2 EXECUTIVE ASSISTANT BAKULICH: Peace?

3 BOARD MEMBER PEACE: Here.

4 EXECUTIVE ASSISTANT BAKULICH: Washington?

5 BOARD MEMBER WASHINGTON: Here.

6 EXECUTIVE ASSISTANT BAKULICH: Marin?

7 CHAIRPERSON MARIN: Here.

8 Any ex partes? I doubt it, because we were all

9 in closed session.

10 Ms. Peace.

11 BOARD MEMBER PEACE: I'm up to date.

12 CHAIRPERSON MARIN: Ms. Mulé?

13 BOARD MEMBER MULÉ: I'm up to date.

14 CHAIRPERSON MARIN: Mr. Washington?

15 BOARD MEMBER WASHINGTON: I'm up to date.

16 CHAIRPERSON MARIN: Item Number 42.

17 DEPUTY DIRECTOR WOHL: Looks like the screen is

18 wild.

19 So anyway, Item 42, Consideration of Approval of

20 Allocations for Contract Concepts from the Recycling

21 Market Development Revolving Loan Account for Fiscal Year

22 2005-2006. And John Smith and Corky Mau will present.

23 (Thereupon an overhead presentation was

24 presented as follows.)

25 BRANCH MANAGER SMITH: Good afternoon, Board

1 Chairman Marin and Board members.

2 Yes, we are presenting the discretionary contract
3 concepts that relate to the RMDZ Revolving Loan Account.

4 --o0o--

5 BRANCH MANAGER SMITH: But before getting into
6 that, what I'd like to do in this presentation, who Corky
7 Mau will co-present with me, is cover the following things.
8 I'll give you some history on the RMDZ account, talk about
9 the program services and incentives provided by the RMDZ
10 program, the specific purposes of these RMDZ contract
11 concepts, and then Corky Mau will take over each of the
12 individual proposed three contract concepts.

13 The Zone and the Loan Program were created by SB
14 1322, Bergeson, that was enacted in 1989, became effective
15 January 1st, 1990. In that code, the Board was allowed to
16 use moneys from interest earned plus the funds in the
17 account to administer the RMDZ Loan Program.

18 --o0o--

19 BRANCH MANAGER SMITH: Traditionally, a portion
20 of those administrative funds, less than 5 percent, have
21 been used to fund contracts to support the loan programs.
22 And they're including the three following categories: The
23 mandatory contracts like for outside legal counsel; and
24 the direct implementation contracts that help us contract
25 out foreclosure services; and ability to liquidate assets.

1 The first two categories, the mandatory and direct
2 implementation, are administrative in nature.

3 The focus of today's presentation or item will be
4 on the third category, and that is the discretionary
5 contracts. And that's why it's being brought to you
6 today. Currently, there are \$15 million in the RMDZ Loan
7 Account. These discretionary concepts today total 275,000
8 if approved and would equate to only 2 percent of the
9 fund. Before getting into the specifics of the contract
10 concepts --

11 --o0o--

12 BRANCH MANAGER SMITH: -- I'd like to first go
13 over the types of services we provide our RMDZ businesses
14 at the state level and at the zone level.

15 At the state level, we provide various forms of
16 business outreach to our potential recycling
17 manufacturers. What we try to do in those services is try
18 to locate those specific businesses that could use our
19 services. We also try to market all the potential
20 stakeholders out there that would have an interest in
21 these companies and bring them to us.

22 We also assist many of our borrowers in finding
23 buyers for their products. We also, and you're very
24 familiar with it, we have a direct loan program for
25 qualified recycling manufacturers. And that's at the

1 point now of almost 80 million since the program began.

2 At the local level, the zone administrators are
3 providing local incentives. Some examples of those
4 included there, including local funds, bonds, grants,
5 redevelopment funding. They also provide permitting and
6 siting assistance. And also related to that, many of them
7 have comprehensive site locator services for these RMDZ
8 businesses. And some fortunate ones can provide reduced
9 utility rates. And these are only some examples of what
10 they provide.

11 In short, the Board staff and zone administrators
12 provide comprehensive technical, financial, and marketing
13 assistance to establish, expand, and successfully retain
14 recycling manufacturers. Our contract concepts address
15 activities that extend and complement these services that
16 are already being provided by state staff and zone
17 administrators. And they're typically used in areas where
18 we either lack the expertise or need some very specialized
19 marketing experience.

20 These direct services will help the businesses
21 overcome a variety of challenges related to feedstock
22 sourcing, funding additional markets, and identifying
23 buyers for their products, expanding their business
24 operations, and once established, simply try to help these
25 businesses remain solvent to continue doing business in

1 California.

2 Now I'd like to turn to the individual contract
3 concepts. And Corky Mau will provide that detail.

4 --o0o--

5 SUPERVISOR MAU: Good afternoon. Hope you all
6 had a good lunch, even though you had to work through it.

7 For the record, my name is Corky Mau. And I'm a
8 Supervisor in the RMDZ Program.

9 There are three contract concepts that we'd like
10 to bring before you today. The first one is on the Recycle
11 Store, which is identified as 2005-DI-3. Some of you were
12 briefed at the Committee meeting -- at the Marketing
13 Committee meeting that we had last week. This particular
14 project would be to roll out the pilot project that we did
15 with initial ten businesses. Basically, it is to enhance
16 and improve the Recycle Store website and to expose and
17 bring more new markets available to the participating
18 businesses. We had some great success with our 18-month
19 contract that ended in December 2004, and we'd like to
20 continue it with your approval.

21 A second part of this particular contract concept
22 is to do a direct link-up with a small business
23 development center. They have a project. The
24 headquarters is in Placer County at Sierra College. We
25 would do some webinar training to cross-train basically

1 our zone administrators to learn more about the business
2 services that are offered at the SBDCs, and then in turn
3 cross-train the SBDC managers throughout the state about
4 the Zone Program and the benefits that can be derived for
5 them. We would have links to all 30 sites. And we are
6 asking for \$75,000 for this particular fiscal year to
7 operate these two programs. And we are asking to make it
8 a multi-year contract.

9 Now, this particular project, the Recycle Store,
10 has been in existence for about five or six years. We
11 started out very small with 35 products mostly from the
12 rural counties of the state. And we now are expanding to
13 350 products, and we're still growing.

14 What we'd like to do is expand this eventually to
15 include as many products as possible made from the
16 businesses located in our zones. We have also discussed a
17 possibility with additional funding down the road of
18 possibly expanding this and including other businesses
19 from California who make RCPs. We think this is only a
20 good thing to do to conduct more outreach and education of
21 local governments and any potential buyers.

22 --o0o--

23 SUPERVISOR MAU: The second contract concept
24 identified as 2005-DI-5 addresses the Zone Administrator
25 Training Workshop. Now, this particular contract concept

1 we feel is a direct service and one of our core values in
2 this program, something that we would like to offer on a
3 continuous basis. In fact, we call it continuing
4 education. Or in the academic world, it would be CEUs for
5 a variety of different disciplines.

6 To us in the program and the administration of
7 the program, this is no different. The particular money
8 we are asking you to continue, \$100,000 for fiscal year,
9 offers three workshops to our zone administrators.
10 They're located in different sectors of the state. We try
11 to educate our zone administrators who come from as far
12 north as Humboldt County, as far as south as San Diego
13 County and everything in between.

14 What's also very challenging for us is our zone
15 administrators come from two various sectors of the
16 industry. Some come from the solid waste recycling, and
17 they understand that industry very, very well. And they
18 understand what diversion is. The other part of our zone
19 administrators come from the economic development side of
20 the house. So it's a continual challenge every year with
21 changing Board members, with changing priorities in the
22 Board, with new emerging technologies that are on the
23 forefront that can help our businesses.

24 It is very important that we continue training
25 for our zone administrators. By keeping them trained and

1 up to speed on what the Board wants to do, they at the
2 local level can then try to mirror and complement the
3 Board's mission and carry that out at the local and at the
4 regional level. Many of our zone administrators are
5 finding that their time is being parsed away slowly by
6 other priorities in their own day-to-day job. So we'd
7 like to fill this in and have them work together as a
8 region. We're finding that is working very, very well,
9 especially in our Bay Area and Southern California zones.

10 This particular contract that we currently have
11 ends December 15th, 2005. And we would like to continue
12 this. We would go out for competitive bid, even though we
13 have used the same -- our current contract for the last
14 four years. We do understand the value of trying to see
15 if there are any other vendors out there who might be able
16 to provide us with the same services and hopefully
17 improved services. We're always looking to enhance our
18 training.

19 --o0o--

20 SUPERVISOR MAU: And the third contract concept
21 is the Business Intervention Services, also identified as
22 2005-DI-8. This particular contract concept is very
23 similar. It's built on the same premise as the Tire
24 Business Assistance Program. In fact, Calvin Young and I
25 worked very closely together to develop something in the

1 Tire Program that could mirror what we were trying to do,
2 too.

3 Our targets would be our RMDZ loan recipients,
4 and we would call them the at-risk businesses. It's not
5 enough just to work with a businesses, get them into the
6 program, give them a loan, and say go on your mary way.
7 Along the road, many of our businesses, especially in the
8 economic and business climate that we have in California
9 today, encounter a myriad of challenges. Whether they're
10 from the rural sector of the state, the urban sector of
11 the state, they encounter challenges, especially those
12 businesses who are in the recycling industry.

13 This particular contract concept we feel very
14 strongly about. We feel it is well worth our effort to
15 spend money up front to help some of these struggling
16 businesses based on their need and based upon their
17 request to us to help get them back on their feet again.

18 I'm going to give you an example of something
19 that we tried to do last year, and we've had some limited
20 success. In fact, it was a company up in the Redding area
21 that some of you Board members had met and were familiar
22 with, because he had entered a contest at Cal Expo. We
23 had a presentation earlier this morning.

24 Bob Ray is basically a one-man business, very
25 small, and pretty representative of the type of businesses

1 that we have, small- to medium-size businesses. He had a
2 product, and he couldn't get it to the point where he
3 wanted state governments to buy it. Our staff in having
4 conversations with Caltrans, and a particular district
5 office up in the Redding area just happened to say, "You
6 have a problem, and you need this, Caltrans. Well, you
7 know, right down the street I have a business. Would you
8 like to get together?" We brokered a deal, so to speak.
9 We bridged a gap, got the conversation going. We spent
10 \$2,000 to pay for some research and development, which
11 does tend to be a big hurdle for many of our businesses.

12 Caltrans liked the idea, and they purchased
13 almost \$8,000 worth of more products. It was a good
14 return on our initial investment. And in the business
15 world, that's something that we have to look at for our
16 businesses. Yes, our primary goal is diversion. And we
17 are willing to do everything and anything possible to help
18 our businesses stay on that course.

19 So it behooves us to say -- you know, just forget
20 them after we've given them a loan and just hope that
21 they, you know, continue to do well. Many of them do. We
22 do not have very many loan defaults at all. And it's a
23 very good track record.

24 We have a few businesses that are on our radar
25 screen right now that could use these services offered in

1 this particular contract. And I've outlined a few.
2 There's three ideas up there that we would be using these
3 funds for: Research and development; doing economic
4 gardening research with some databases that we have
5 purchased to find additional and new markets for some of
6 our businesses; and product commercialization. That is
7 just the example that I gave you with Bob Ray, helping to
8 find a buyer for his product. And we do that. Very many
9 times that is a common request to our staff.

10 Lastly, there is another idea up here that we
11 would like to use some limited funding for and experiment
12 with, and that is with buying samples. There are many
13 times even among state departments that we have a
14 challenge helping them to understand the value of buying a
15 product that is green versus something that's -- a desk
16 that was made out of metal versus a desk that was made out
17 of reclaimed lumber. Some of them, unfortunately, still
18 don't get it.

19 What we would like to offer to do is to spend
20 some limited funds, and if a state department in our
21 conversations that we were determining that they possibly
22 would not even want to try a product unless we got one to
23 them and let them try on a trial basis, we would like to
24 use some funds out of this particular contract and help
25 them to try it out, and it would be considered a sample

1 product, with the hopes that they would like it and then
2 they would purchase it on their own later.

3 As you can see with the Caltrans example, it did
4 work in that situation. And they are actually going to be
5 presenting this particular topic in this case study at our
6 upcoming October Zone Works in San Diego next month.

7 --o0o--

8 SUPERVISOR MAU: In summary, I'd like to just say
9 that all of our contract concepts directly support the two
10 action plans that has been described to you earlier today;
11 the Green Procurement Action Plan and the Market
12 Assessment Action Plan. We find that if more people --
13 not just state governments and local governments, but more
14 people in the state of California buy green, that this
15 will increase diversion. Our businesses, if we increase
16 the demand for these products, our businesses can make
17 more. By making more, more is diverted from the
18 landfills.

19 There are obviously environmental benefits to
20 that, as you've heard from the discussion about the
21 greenhouse gas emissions and the savings that can be
22 realized. There are also specific benefits to the local
23 communities. There are revenues that are generated for
24 that particular community, and there are jobs.

25 Lastly, our particular program fits and is

1 aligned very well with the Governor's initiative in this
2 new commission he set up last year. I believe it was last
3 year. I could have my dates wrong. But the California
4 Commission on Jobs and Economic Growth, they have three
5 core missions which are very similar to ours.

6 And in closing, to help you better understand
7 what our programs are about, I would like to describe them
8 to you. The three core missions of this Jobs Commission
9 is to remove barriers, to increase employment, and doing
10 business in California; assist businesses to remain in
11 state and expand their operations; and to help California
12 market these products and services not just within the
13 state, but even to other states and ideally international.
14 If we can find markets and if we can help our California
15 businesses, we'll start with the ones in our zone program,
16 that's a core function and mission of our program. But
17 just think of the benefits that can be reaped by other
18 businesses statewide. Thank you.

19 CHAIRPERSON MARIN: Thank you, Corky.

20 I'm going to ask my colleagues here if we can
21 speed it up really fast, because we have one more item,
22 and I need to -- I'm being called to a meeting. So really
23 fast and in a hurry, the three items, are there any
24 questions with Item Number 1, the Recycle Store? If there
25 are any questions, I'm going put them aside for the next

1 Board meeting. If anybody has any questions, I'm going to
2 put them aside.

3 BOARD MEMBER MULÉ: Madam Chair, I was going
4 suggest. If this is not a time sensitive issue, I would
5 respectfully request that we put this off until next
6 month. Again, I just have some of the same questions.
7 And I think we might want to -- I just need a better
8 understanding of what we're trying to accomplish with all
9 three of these goals.

10 CHAIRPERSON MARIN: With all three of them?

11 BOARD MEMBER MULÉ: Yeah. Well, the training is
12 fine.

13 CHAIRPERSON MARIN: The training I have no
14 problems at all.

15 BOARD MEMBER MULÉ: The other two, I have some
16 questions.

17 CHAIRPERSON MARIN: In deference to both Ms. Mul
18 and myself, can we go ahead and approve the training and
19 put over the other two items? That's okay.

20 Can I have a motion for that.

21 BOARD MEMBER PEACE: Actually, I had a question.

22 CHAIRPERSON MARIN: Regarding the training?

23 BOARD MEMBER PEACE: On the training, not that I
24 don't think it's important. But I was just wondering
25 \$100,000, that's \$33,000 a workshop. How many ZAs attend

1 those?

2 CHAIRPERSON MARIN: There are a lot.

3 SUPERVISOR MAU: I would say approximately 20,
4 25, which is a little bit more than half of our zone
5 administrators.

6 BOARD MEMBER PEACE: I was just wondering what it
7 is that you do, because I know some of the tire workshops
8 are only like \$10,000. Maybe you do a lot more than they
9 do. I'm just wondering what is it you do that --

10 CHAIRPERSON MARIN: You know, Corky, if I may,
11 I'm going to put it over until next month, just out of
12 deference. And I'm really sorry. I apologize for that.
13 But I do have to -- there are questions that are going to
14 take a lot longer. And we have a very sensitive item on
15 the next one that needs to be dealt with. So if that's is
16 okay with everybody --

17 BOARD MEMBER PEACE: That's fine. I just want to
18 make one suggestion. They're asking in these items -- I
19 guess maybe it's something I'm not understanding. They're
20 asking for funding for three years, and the amount adds up
21 to three years' worth of funding, but the Resolution only
22 says fiscal year 05-06. And it only has the funding for
23 one year. And I was just wondering if we bring this back
24 next month if you can resolve that issue.

25 SUPERVISOR MAU: We'll go ahead and clarify that

1 for you. And thank you.

2 And lastly, Chairwoman Marin, thank very much. I
3 appreciate the comments that you made earlier the morning
4 about the program. We appreciate the support.

5 CHAIRPERSON MARIN: Thank you, Corky.

6 CHAIRPERSON MARIN: All right. I think Item
7 Number 43 needs to be dealt with rather quickly.

8 Mr. Leary, we need an action item on this one;
9 right?

10 EXECUTIVE DIRECTOR LEARY: Yes.

11 CHAIRPERSON MARIN: Item Number 43. I apologize,
12 but I do have to go. And if we don't act on this, then it
13 won't do it until next month. So we want to get it over
14 with. If you can just be as succinct as possible, I would
15 truly appreciate it.

16 MS. BOBER: Succinct is my middle name. How much
17 time do you need?

18 CHAIRPERSON MARIN: About two minutes. How's
19 that?

20 MS. BOBER: All right. Good day, Madam Chair and
21 Board members. I'm Theresa Bober from the Office of
22 Education and the Environment. I'm here today to present
23 for your approval the implementation of the school
24 diversion and environmental education law report to the
25 Legislature.

1 In 2001, the Legislature passed SB 373, which is
2 now known as the School DEEL. The intent of the School
3 DEEL was to develop a unified education strategy to
4 integrate environmental concepts into K through 12
5 standards-based education and to increase the presence of
6 resource management programs on school campuses statewide.
7 Through grants, training, and ongoing technical assistance
8 and the identification of model programs, Board staff
9 promoted student achievement and resource conservation.

10 I'm going to go away from my script here, because
11 it is a lot longer. But bottom line, there were six
12 environmental ambassadors. They were 14 unified education
13 strategy grantees.

14 The report contains descriptions of each pilot
15 project, all 20 of them. And the grantees represented a
16 cross section of California schools and included rural,
17 urban, as well as northern and southern schools. To
18 illustrate some of the students' work, we have set up an
19 exhibit booth right outside here. If you go out there,
20 you'll see one, and it exhibits some of the children's
21 projects.

22 We have also made copies of one of the books,
23 "One Man's Trash is Another Man's Treasure," for each of
24 you to keep, although there are other samples of books
25 that were created by children on the outside table. I

1 also encourage everyone to view the presentation, "A Place
2 For Everything," which is a standard-based waste audit
3 featuring charter school children from L.A. Unified School
4 District that we have showing at our booth.

5 I'm trying to think of what to cut out. There's
6 so much to tell you. But I think the most important stuff
7 is in the --

8 CHAIRPERSON MARIN: We all read the report.

9 MR. BOBER: It's in the lessons. It's in the
10 findings. It's in the recommendations.

11 Before I conclude my presentation, I would like
12 to just add that one very encouraging result of the School
13 DEEL was the internal relationships formed by OEE and OLA
14 staff. Through our joint efforts of sharing ideas and
15 information while working on the School DEEL, we learned
16 about the experiences and expertise of staff from each
17 office. This led to a better understanding and
18 appreciation of what we all do in our efforts to assist
19 schools and districts.

20 Lastly, staff recommends Option A, approval of
21 the School DEEL report and adoption of Resolution Number
22 2005-275. This concludes my presentation. If you have
23 any questions, feel free.

24 CHAIRPERSON MARIN: You're so kind. I so
25 appreciate it. I know all of you worked so hard. And I

1 do apologize from the bottom of my heart.

2 I want to tell you that I love this program. I
3 believe I attended one of the very first ambassador
4 programs when it first was opened. I think Mr. Washington
5 and I went to that facility in Palm Springs; right? So we
6 really, really appreciate it. Please do not let this very
7 rushing situation for us right now suggest anything but
8 absolute support for what you have done, all of you, all
9 of you.

10 Ms. Peace.

11 BOARD MEMBER PEACE: I want to apologize, too,
12 for rushing, because I'm sure you spent a lot of time
13 preparing for this.

14 But I was glad to hear you say that our OLA
15 office and the OEE office have been working together,
16 because in the 1066 time extensions that we've been
17 hearing in the DPLA Committee in the Plans of Correction a
18 lot of these jurisdictions that they mentioned had school
19 diversion. And I think it's really great to hear that you
20 two are working together and are available to help those
21 jurisdictions with the lessons you've learned from this
22 program to help them with their school diversion programs.

23 And I had one other question where it said, "The
24 intent of the legislation was one to develop a unified
25 education strategy integrate environmental concepts into

1 the K to 12 standards-based education." Isn't that what
2 1548 ultimately does?

3 MS. BOBER: This is sort of a precursor. And,
4 actually, this bill really kind of nicely bridges into
5 that.

6 BOARD MEMBER PEACE: I was wondering, did we
7 learn anything from this that's going to be helpful as
8 they start writing the standards and stuff --

9 MS. BOBER: This was a wonderful, wonderful
10 introduction. Because when you do something, you want to
11 do it on a pilot -- at a pilot level and not roll it out
12 to the whole state of California. We have 16 lessons that
13 we learned that we highlighted in the report. And I think
14 it was very, very beneficial. Sometimes the things you
15 learn are what not to do. And we learned those, too.

16 CHAIRPERSON MARIN: Okay. We do have two people
17 that have trekked, one from Burbank and the other one from
18 Los Angeles, to come before us. Barbara Moreno, we so
19 appreciate you taking your entire day. We truly do. Go
20 ahead.

21 MS. MORENO: Good afternoon, Madam Chair, and
22 members of the Board. I want to say in response to what
23 you said, it's been very educational for me. And we're
24 right back in the classroom this year. I would really
25 integrate this as a part of our learning, because I think

1 this is the piece that the children don't see. They don't
2 see where the decisions are made and how they're made.
3 And I think that's a critical part of their education. So
4 for future reference, this is something that I think
5 probably needs to be added in.

6 Thank you for allowing me some time in your very,
7 very busy and now rushed agenda. I'd like to begin just
8 by sharing my credentials, which I hope are going to lend
9 some credence to the following remarks that I want to make
10 about teaming with School DEEL at the open charter school
11 in Los Angeles.

12 I retired from 32 years of teaching this past
13 June. I have taught the span from preschool, which I
14 taught in Sacramento, through graduate school in a variety
15 of settings. And during those years, received my
16 doctorate in education and became a National Board
17 Certified teacher. I was also the LEED teacher in the
18 model environmental education elementary classroom
19 highlighted in the document, "Closing the Achievement
20 Gap." I worked actively and successfully as a leader in
21 environmental education for the past 16 years.

22 And so I was, of course, thrilled when our class
23 was given the opportunity to take part in the School DEEL
24 program. Organizing and instituting a school recycling
25 program had long been a dream of mine. There were two

1 hurdles that stood in my way, time and know-how.

2 When Valorie Shatynski arrived to work with us as
3 our grant manager, I felt certain we were in expert hands.
4 And I was right. She not only understood waste management
5 and the nuances of recycling, but she was able to help us
6 integrate them into both our current and
7 environmentally-focused classroom program and into our
8 school community. Valorie showed us how the systems,
9 which I did see in one of the flags downstairs, everything
10 is connected to everything else, worked in terms of
11 managing the trash first in our classrooms and then moving
12 by increments to make recycling a part of our school
13 culture.

14 She provided us with all of the expertise we
15 needed, brought us materials, did research for us, and
16 came each time we had an event to help us implement our
17 program. She was, and I think she still is, brilliant.
18 She helped us explore and implement a variety of recycling
19 methods and coached us on how to achieve the same depth in
20 our waste management program as we have established in
21 other academic areas. I began as a novice, and Valorie
22 served as our mentor.

23 As an educator, participating in this program was
24 an extraordinary learning experience for me. And it
25 provided valuable tools for my students. They, in turn,

1 were able to share their knowledge with their school
2 community as well as their families at home. I want to
3 thank Valorie for her unflagging support and thank all of
4 you for providing all of us with such an important
5 education.

6 I want to mention in closing that both the books
7 on display and the video playing in the lobby as well as
8 the book you were given, "One Man's Trash is Another Man's
9 Treasure," are products of our classroom program this past
10 year. I believe that you can see what a meaningful
11 learning experience this has been for our students. Thank
12 you.

13 CHAIRPERSON MARIN: Thank you, Ms. Moreno. This
14 has been very enlightening. Thank you.

15 And last but not least, Ms. Claudine Bell.

16 MS. BELL: Good afternoon, Madam Chair, and Board
17 members. It's my pleasure to be here. And it's really
18 nice to come and see the people who funded such a
19 wonderful program for our district and to be able to voice
20 here with you.

21 I've been in education for over 30 years, and I
22 hold many degrees, and I've held various positions.
23 Currently, I'm the Service Learning and Grants Coordinator
24 for the Burbank Unified School District. I want to tell
25 you that Burbank Unified received one of those six

1 Environmental Ambassador Programs. And our staff
2 immediately understood the importance of having the goals
3 of the grant coincide with those of the district and the
4 teachers.

5 Those three main goals that we highlighted were:
6 To increase student knowledge of curriculum standards; to
7 connect curriculum with the delivery of high quality
8 service learning; and to tie the standards and the service
9 to positively impact the environment and to reduce the
10 waste.

11 Our district needed to have this program fit well
12 with another called the Cal Serve Service Learning Grant.
13 They had similar goals that were to address standards and
14 increase student test scores, engage students in high
15 quality service learning, help students become productive
16 citizens who positively impact society and the
17 environment.

18 During year one of the grant, we focused more on
19 required and repetitious paperwork. Teachers wanted to
20 teach and focus on the areas that they had originally
21 decided to focus on, rather than be buried in paperwork.
22 After all, they were trained to be teachers, not paper
23 pushers. Teachers required a change away from the
24 paperwork in order to continue with this program.

25 For year two, Valorie Shatynski and I worked

1 closely together making modifications and designing a new
2 format to achieve results without repetitious detailed
3 paperwork. And as a result, the teachers were better
4 focused on goals and very willing to proceed.

5 The two years of the grant brought many positive
6 results by students. We increased recycling of paper,
7 bottles, cans, food waste through a variety of composting
8 techniques, as well as improved resource conservation and
9 verma composting came to our district as well.
10 School-wide recycling campaigns to collect used batteries
11 were also included as one of the projects by the middle
12 school. The students actually organized the entire thing,
13 and the teacher only facilitated that. The students went
14 out to 80 percent of the classrooms and did classroom
15 presentations to the students on the campus.

16 The drive was so successful they brought in over
17 150 pounds of batteries, and they even had to test the
18 batteries to make sure they weren't new, because they had
19 some contest going on in the district at the site. So
20 that project was so successful. And the kids were in 8th
21 grade. And they were saying, "We're going to graduate.
22 What are we going to do with the program we designed?"
23 They're taking it onto the high schools. So that's a real
24 good example how positive this was.

25 Students became politically involved, and they

1 focused on candidates that were running for the last
2 Presidential election. They did research on how they
3 stood when it came to environmental issues in their past
4 history and they published pamphlets. They went out to
5 the public at the farmers market and spoke to the citizens
6 to share the stance of the different political figures as
7 far as environmental issues were concerned. They became
8 active citizens and really learned about the importance of
9 the environment.

10 Student leadership came about, and we were able
11 to do two presentations at the National Service Learning
12 Conference. We had one middle school group do a
13 presentation from a variety of curricular areas where they
14 had integrated the concepts, and we had high school
15 students come in and talk about how to be an active
16 citizen and take part in changing your community.

17 High school students also studied watersheds,
18 including the creation of brochures. And they did
19 presentations to families as they came in for open house.
20 I was so impressed with it, I just kind of went around.
21 And the kids were so awesome. I asked them if they would
22 go to the after-school program, which I also manage a
23 middle school and elementary school. The students came
24 and wanted to deliver the messages and information that
25 they had researched. And as they did that, they also

1 presented a bingo game for the elementary kids. And the
2 kids got so excited.

3 The Burbank Recycle Center is one of our greatest
4 partnerships. They provided little prizes for the kids.
5 The kids were so excited, they had the high school kids
6 autograph the bingo cards. And the high school students
7 said, "Ms. Bell, can we come back again?" So I said,
8 "Well, ask them." And the kids, of course, were like kids
9 are, yes, yes, come back. So they not only came back,
10 they are now going to be working in the after-school
11 program with the kids presenting environmental activities
12 for the kids to participate in. And we're even going to
13 pay for them part of the time, and the rest will be
14 volunteer service.

15 CHAIRPERSON MARIN: Excellent.

16 MS. BELL: Give me another minute.

17 CHAIRPERSON MARIN: Okay. That's all you have.

18 MS. BELL: There were many connections, like I
19 said, between curricular areas. Students in social
20 studies classes studying parts of the environment related
21 it to science, and they bridged the gap between the
22 teachers. So they were carrying on projects that were
23 beneficial to the environment that way. And our middle
24 school has also received several recycling awards this
25 year.

1 The results for our grant demonstrate that the
2 students who've learned the curricular standard felt more
3 connected to their learning, and many developed long-term
4 habits and interest that will positively impact our
5 environment and reduce the waste.

6 Teachers learned much through their involvement
7 in the grant. They saw results and discovered ways to
8 improve their instruction in order to become more
9 effective in the future. And I'm proud to tell you that
10 all the teachers that participated are still actively
11 engaged in this year without any other support other than
12 Valorie and myself. Ms. Shatynski was able to bring
13 resources, expertise, coordination to the teams of the
14 teachers. And the district felt very much supported by
15 her, as she always made herself available to them
16 individually and as teams. This woman is fantastic. You
17 need to keep her.

18 CHAIRPERSON MARIN: She's not going anywhere.

19 MS. BELL: Craig Hanful and Hope McAloon of the
20 Burbank Recycle Center were key partners. They continue
21 to assist teachers and students to reduce waste. They
22 help guide students in their investigations and service
23 projects. They provide instruction materials, tours,
24 workshops, presentations, service opportunities, and there
25 are two workshops coming up next week for the entire

1 school district to help get all sites into a coordinated
2 waste reduction program.

3 Jennifer Wallin also work closely with our
4 district on the work plan. She offered her assistance.
5 She was always willing to come to the district to meet
6 with the personnel to accomplish the work plan. She was
7 always patient and understanding, and she needed to be.
8 But she was very persistent, and she completed her work
9 well under the grant. I want to commend her.

10 We are privileged to work alongside with the
11 Waste Board and the Recycle Center who have incredibly
12 dedicated staff members over the course of this grant, and
13 we look forward to that continued relationship. The CIWMB
14 staff has been most supportive, knowledgeable, and
15 competent. They learned to work with our district systems
16 of operations. They were critical in meeting the goals
17 and objectives of both the Waste Board and the district.
18 As a result, your staff is now better prepared to work
19 more closely with other districts as they are more
20 familiar with the needs of school districts, their
21 systems, and their dynamics.

22 Thank you for this opportunity to bring both the
23 voice to our experience as an EAPP grantee and for the
24 opportunity to participate with you in an effort to
25 educate and move people to reduce waste and protect our

1 environment. It has been a wonderful experience for our
2 district.

3 CHAIRPERSON MARIN: I didn't get that from your
4 presentation at all.

5 MS. BELL: You didn't like it?

6 CHAIRPERSON MARIN: I said I didn't get any of
7 that from your presentation at all.

8 Thank you so very much, Ms. Bell.

9 MS. BELL: Just one more word. I would encourage
10 you --

11 CHAIRPERSON MARIN: So I'm so late to meet the
12 Governor.

13 MS. BELL: I know. I would encourage you,
14 though, to offer more things for education. Because if we
15 teach them early, we've got a way to go. Thank you.

16 CHAIRPERSON MARIN: Thank you, Ms. Bell.

17 Is there a motion to approve Resolution 2005-275?

18 BOARD MEMBER MULÉ: Madam Chair --

19 BOARD MEMBER WASHINGTON: Madam Chair, I like to
20 move adoption of Resolution 2005-275.

21 BOARD MEMBER MULÉ: Second.

22 CHAIRPERSON MARIN: Without objection, that will
23 be the pleasure of this Board. And we substitute the
24 previous roll call.

25 Thank you so very much. The Governor is waiting

1 for me.

2 BOARD MEMBER PEACE: The Chair is going to rush
3 off to tell the Governor how important environmental
4 education is.

5 BOARD MEMBER WASHINGTON: The Board meeting
6 stands adjourned.

7 (Thereupon the California Integrated Waste
8 Management Board, Board of Administration
9 adjourned at 2:59 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 4th day of October, 2004.

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23 TIFFANY C. KRAFT, CSR, RPR

24 Certified Shorthand Reporter

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